30

INCOMING TELEGRAM Department of State

POL 14 VIET-S

47

LIMITED OFFICIAL USE

Action

V MJA475JIA680

FE PP RUEHC
Info DE RUMJIR 2285A 1691115
ZNY CCCCC
SS P 181100Z
G FM AMEMBASSY SAIGON
L TO SECSTATE WASHDC PRIORITY 5619
H STATE
P BT
NSC JUNE 18
INR LIMITED OFFICIAL USE JUNE 18
RSR REF: DEPTEL 3958 — Pol 14 Viets

1966 JUN 18 AM 7 50 18614

Saigon 5619

1. WE HAVE ADVANCE COPIES OF ELECTORAL AND CONSTITUENT ASSEMBLY LAWS. WE ARE HOLDING OFF SENDING THEM UNTIL THEY CAN BE VERIFIED AGAINST FINAL TEXTS. WILL TRANSMIT BY PRIORITY CABLE AS SOON AS POSSIBLE. SHOULD BE NOTED THAT OUR TRANSLATIONS WILL BE UNOFFICIAL AND WILL PROBABLY DIFFER IN MINOR PHRASEOLOGY FROM OFFICIAL ENGLISH AND FRENCH TEXTS THAT MAY BE PUBLISHED IN VIETNAM PRESS.

2. WILL ALSO PROVICE OUR COMMENTS ON POTENTIALLY CONTROVERSIAL PROVISIONS AFTER WE HAVE REVIEWED FINAL TEXTS.
LODGE
BT

NOTE: ADVANCE DELIVERY TO S/S-O 6/18/66 8:25 AM

PASSED WHITE HOUSE, DOD, CIA, USIA, NSA 6/18/66 8:25 AM

(1)

MICROFILMED BY RS/R

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Joan Goeckner DATE 10/2/81
RDS ☐ or XDS ☐ EXT. DATE
TS AUTH. REASON(S)
EXCISE EXEMPTIONS MARKINGS ☐
DECLASSIFIED ☐ RELEASABLE ☑
RELEASE DENIED ☐
PA or FOI EXEMPTIONS

LIMITED OFFICIAL USE

DECLASSIFIED

30

POL 14 VIET S

INCOMING TELEGRAM *Department of State*

47

UNCLASSIFIED

Action

48939

1966 JUN 19 PM 12 27

FE
Info
SS
G
SP
SAH
L
H
IO
P
NSC
INR
AID
RSR

VV EUB887PEA059
OO RUEHC
DE RUABSG 2339E/1 1701110
ZNR UUUUU
O 191045Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5632
INFO ZEN/AXCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION ONE OF TEN JUNE 19

SUBJECT: ELECTION LAW DRAFTING COMMITTEE

1. FOLLOWING IS UNOFFICIAL RPT UNOFFICIAL TRANSLATION OF FINAL DRAFT ELECTION LAW AS MODIFIED BY THE DIRECTORATE:

ARTICLE 1. THE ELECTION OF DEPUTIES TO THE NATIONAL CONSTITUENT ASSEMBLY, SET BY DECREE-LAW 14/66 OF APRIL 14, WILL BE FIXED AS FOLLOWS:

CHAPTER I

DATE, ELECTORAL DISTRICTS AND NUMBER

OF DEPUTIES

PAGE 2 RUABSG 2339E /1 UNCLAS
ARTICLE 2/ THE ELECTION OF NATIONAL CONSTITUENT ASSEMBLY DEPUTIES FOR ALL CONSTITUENCIES WILL BE HELD ON SAUNDY, SEPTEMBER 11, 1966.

IF FOR ANY REASON ELECTIONS CANNOT BE HELD ON THE SCHEDULED DAY, LOCAL AUTHORITIES WILL HOLD THEM ON THE NEXT MOST FAVORABBLE DAY AFTER INFORMING THE MINISTRY OF INTERIOR.

ARTICLE 3. THE NATIONAL CONSTITUENT ASSEMBLY WILL BE COMPOSED OF (108) DEPUTIES, SELECTED AS FOLLOWS:

MICROFILMED BY RS/E

UNCLASSIFIED

DECLASSIFIED

IN PRINCIPLE, EVERY 50,000 ELECTORS IN SAIGON, EVERY PROVINCE AND EVERY MUNICIPALITY WILL ELECT ONE DEPUTY.

ANY ELECTORAL DISTRICT HAVING 30,000 ELECTORS ABOVE AND BEYOND THE ROUND NUMBERS OF 50,000 WILL ELECT AN ADDITONAL DEPUTY.

HOWEVER, ANY CONSTITUENCY WHICH HAS LESS THAN 50,000 WILL ALSO ELECT ONE DEPUTY.

THE PROVINCES OF BA XUYEN, CHAU DOC, KIEN GIANG AND VINH BINH WILL EACH HAVE ONE NATIONAL CONSTITUENT ASSEMBLY SEAT RESERVED FOR VIETNAXESE COMPATRIOTS OF KHMER DESCENT.

IN ADDITION TO THE ABOVE MENTIONED NUMBER OF NATIONAL CONSTITUENT ASSEMBLY DEPUTIES (108), NINE OTHER SEATS WILL BE RESERVED FOR MONTAGNARD COMPATRIOTS, COMPATRIOTS OF CHAM DESCENT, AND NORTH

VIETNAMESE MONTAGNARD REFUGEE. THIS ALLOCATION OF DEPUTY SEATS WILL BE FIXED BY THE ENACTMENT OF A SUBSEQUENT DECREE LAW, AND IN ACCORDANCE WITH THE TRADITIONS AND CUSTOMS OF THESE COMPATRIOTS.

ELECTORAL DISTRICTS ARE PROVINCES AND AUTONOMOUS CITIES.

IN SAIGON AND GIA DINH PROVINCE, THERE WILL BE MANY CONSTITUENCIES, IN ORDER TO BE EQUITABLE WITH OTHER ELECTORAL DISTRICTS.

THE TOTAL NUMBER OF DEPUTIES AND CONSTITUENCIES ARE SET FORTH IN ENCLOSURE ONE ANNEXED TO THIS DECREE LAW.

CHAPTER II

ELECTORS

ARTICLE 4. ELECTORS IN EVERY CONSTITUENCY ARE THOSE OF VIETNAMESE NATIONALITY, MALE OR FEMALE, 18 YEARS OF AGE OR OLDER AS OF DECEMBER 31, 1965, INSCRIBED ON THE ELECTORS' LIST AND HOLDERS OF REGULAR ELECTORS' CARDS, EXCEPT THOSE DEPRIVED OF THE RIGHTS OF CITIZENSHIP.

EACH CITIZEN WILL BE INSCRIBED ON ONLY ONE ELECTORS' LIST.

ARTICLE 5. IN SAIGON CAPITAL, THE LIST OF ELECTORS OF EVERY

DECLASSIFIED

DECLASSIFIED

QUARTER WILL BE FIXED AND POSTED BY THE CHIEF OF DISTRICT FOR THE FIRST TIME ON JULY 18, 1966, AT THE DISTRICT OFFICE, THE CHIEF OF QUARTER'S OFFICE, AND AT ANY PLACE CONSIDERED

NECESSARY BY THE MAYOR OF SAIGON.

IN PROVINCES THE LIST OF ELECTORS OF EACH VILLAGE WILL BE SET BY THE VILLAGE ADMINISTRATIVE COMMITTEE OR THE VILLAGE PACIFICATION COMMITTEE, AND WILL BE POSTED ON THE ABOVE MENTIONED DAY AT THE VILLAGE, OR HAMLET OFFICE.

IN MUNICIPALITIES, THE LIST OF ELECTORS OF EVERY QUARTER OR VILLAGE WILL BE SET BY THE CHIEF OF THE MUNICIPALITY AND POSTED ON THE ABOVE-MENTIONED DAY AT THE QUARTER, SECTOR, VILLAGE OR HAMLET OFFICE.

FOR MILITARY MEN AND THEIR FAMILIES RESIDING IN MILITARY CAMPS, THE LIST OF ELECTORS WILL BE ORGANIZED BY COMMANDERS AT BATTALION LEVEL TO BE AMENDED AND TRANSMITTED TO MAYORS, CHIEFS OF MUNICIPALITYY OR CHIEFS OF PROVINCE FOR COUNTERSIGNING BEFORE POSTING.

MOREOVER, A COPY OF THE ELECTOR LIST IN THE VILLAGE, QUARTER AND SECTOR LISTS WILL BE POSTED AT THE ADMINISTRATIVE OFFICE OF THE CAPITAL, PROVINCES, MUNICIPALITIES AND DISTRICTS.

ELECTORS WHO HAVE CHANGED THEIR RESIDENCE AND WHO WISH TO VOTE IN THEIR NEW ELECTORAL DISTRICT SHOULD MAKE DECLARATION TO LOCAL AUTHORITIES (VILLAGE, SECTOR, QUARTER, DISTRICT) ACCORDING TO PROCEDURE APPLIED IN DECLARATION OF FAMILY LISTS, NOT LATER THAN JULY 8, 1966. (MORE)
LODGE
BT

ADVANCE DELIVERY TO S/S-O 6/19/66 1:27 PM

PASSED WHITE HOUSE, DOD, CIA, USIA, NSA 6/19/66 1:27 PM

DECLASSIFIED

POL 14 Viet

INCOMING TELEGRAM *Department of State*

UNCLASSIFIED

47
Action
FE
Info
SS
G
SP
SAH
L
H
IO
P
NSC
INR
AID
RSR

DE RUABSG 2339E/2 1701145
ZNR UUUUU
O 191045Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5632
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION TWO OF TEN JUNE 19

18944 1966 JUN 19 PM 12 52

ARTICLE 6. CIVIL SERVANTS AND MILITARY MEN ON MISSIONS, REASSIGNMENT, OR UNABLE TO RETURN TO PLACES OF RESIDENCE WHERE THEIR NAMES ARE REGISTERED ON THE ELECTORS' LIST, MAY CAST THEIR VOTES AT THEIR ACTUAL LOCATION ON ELECTION DAY WITHOUT HAVING TO PREVVIOUSLY REGISTER THEIR NAMES ON THE ELECTORS' LIST.

BESIDES THEIR VOTING CARDS, CIVIL SERVANTS AND MILITARY MEN MUST SHOW IN ADDITION A CERTIFICATE RELATED TO THE SPECIAL CASES DESCRIBED ABOVE AND DULY DELIVERED BY THE ADMINISTRATIVE AUTHORITIES.

ARTICLE 7. CITIZENS WHO FULFILL ALL CONDITION FOR VOTING BUT WHOSE NAMES DO NOT APPEAR ON THE LIST OF VOTERS OR APPEAR INCORRECTLY, HAVE THE RIGHT TO COMPLAIN.

THE COMPLAINTS MUST BE LODGED AT VILLAGE, QUARTER, OR SECTOR BY AUGUST 2, 1966 AT THE LATEST. THE AGENCIES WHICH RECEIVE THE COMPLAINTS WILL DELIVER A RECEIPT TO THE INTERESTED PERSONS AND SEND THE COMPLAINTS, TOGETHER WITH THEIR OPINION, TO THE CITY, TOWN OR PROVINCIAL ADMINISTRATIVE OFFICES.

FOLLOWING THE END OF THE PERIOD FOR LODGING COMPLAINTS, THE LISTS OF VOTERS AND COMPLAINTS, IF ANY, WILL BE DISPATCHED BY THE MAYORS OR CHIEFS OF PROVINCE TO THE COMMITTEE STIPULATED IN ARTICLE 5 AUGUST 7, 1966 AT THE LATEST FOR FINAL DECISION.

THE LISTS OF VOTERS MUST BE EXAMINED, DECIDED AND SENT BACK TO THE INTERESTED ADMINISTRATIVE AUTHORITIES BY AUGUST 12, 1966 AT THE LATEST.

THE ADMINISTRATIVE AUTHORITIES WILL POST THE LISTS OF VOTERS FOR THE SECOND TIME AT THE PLACES STIPULATED IN ARTICLE 5 ON AUGUST 20, 1966 AT THE LATEST.

ARTICLE 8. THE PROCEDURES FOR MAKING AND ISSUANCE OF VOTING CARDS ARE PROVIDED BY THE MINISTRY OF INTERIOR.

CHAPTER III

CANDIDATES

DECLASSIFIED

ARTICLE 9. MALE OR FEMALE CITIZENS FULFILLING THE FOLLOWING CONDITIONS MAY RUN FOR SEATS IN THE NATIONAL CONSTITUENT ASSEMBLY:

1) CANDIDATES MUST HAVE UNINTERRPTED VIETNAMESE NATIONALITY SINCE THEIR BRITH, OR HAVE ADOPTED VIETNAMESE NATIONALITY FOR AT LEAST FIVE YEARS, OR HAVE RETURNED TO VIETNAMESE NATIONALITY FOR AT LEAST THREE YEARS AS OF THE ELECTION DAY.

THE EFFECTIVE DATE OF ACQUIRING NATIONALITY IS THE DATE OF THE SIGNING OF THE DECREE-LAW AUTHORIZING THE ADOPTION OF VIETNAMESE NATIONALITY. THE RETURN TO VIETNAMESE NATIONALITY'S EFFECTIVE DATE IS THE DATE OF THE SIGNING OF THE DECREE-LAW AUTHORIZING THE RETURN TO VIETNAMESE NATIONALITY, OR THE DATE OF THE APPLICANT'S DECLARATION TO COMPETENT AUTHORITIES ASKING FOR RETURN TO VIETNAMESE NATIONALITY IN THE CASE THAT THE LAW HAS PROVIDED THAT ONLY AN APPLICANT'S DECLARATION IS NECESSARY FOR RETURN TO VIETNAMESE NATIONALITY.

NATURALIZED CITIZENS WHO HAVE ACCOMPLISHED MERITORIOUS SERVICE FOR THE VIETNAMESE FATHERLAND, OR RETURNEES TO VIETNAMESE NATIONALITY MAY HAVE THE ABOVE-MENTIONED FIVE OR THREE YEAR PERIOD SHORTENED BY A SPECIAL DECREE-LAW FROM THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE.

2) CANDIDATES MUST BE 25 YEARS OLD BY ELECTION DAY.

3) CANDIDATES MUST ENJOY ALL RIGHTS OF CITIZENSHIP.

4) CANDIDATES MUST HAVE RESIDED ON VIETNAMESE TERRITORY FOR AT LEAST ONE YEAR IMMEDIATELY BEFORE THE ELECTION DAY.

5) CANDIDATES MUST HAVE COMPLIED WITH MILITARY DRAFT REGULATIONS.

6) CANDIDATES MUST NOT BE AMONG THOSE ON THE LIST OF UNDESERVING ELEMENTS COVERED IN ARTICLE 10.

ARTICLE 10. THE FOLLOWING WILL BE VIEWED AS DISQUALIFIED ELEMENTS NOT ALLOWED TO BECOME NATIONAL CONSTITUENT ASSEMBLY CANDIDATES:

1) THOSE SENTENCED FFOR CRIMINAL OFFENSES.

2) THOSE SENTENCED FOR LIGHT OFFENSES SUCH AS SWINDLING, BREACH OF TRUST, FORGERY, VIOLATION OF GOOD MORALS, BIRBERY, GRAFT, AND EMBEZZLEMENT.

3) THOSE SENTENCD TO MORE THAN THREE MONTHS OF IMPRISONMENT FOR OTHER LIGHT OFFENSES, EXCEPT FOR THOSE COMMITTED BY CARELESSNESS AND NEGLIGENCE. HOWEVER, THOSE GUILTY OF FLEEING THE SCENE OF A TRAFFIC ACCIDENT WILL NOT BE AUTHORIZED TO RUN FOR NATIONAL CONSTITUENT ASSEMBLY SEATS.

DECLASSIFIED

DECLASSIFIED

-3- 5632, JUNE 19. FROM SAIGON. (SEC II OF X).

4) THOSE DEPRIVED OF CIVIC RIGHTS OR THE RIGHT TO RUN FOR NATIONAL CONSTITUENT ASSEMBLY SEATS BY COURT SENTENCES, ACCORDING TO LAWS NOW IN FORCE.
5) THOSE UNDER LEGAL GUARDIANSHIP OR STRUCK BY MENTAL DISEASES.
6) THOSE HAVING GONE BANKRUPT AND NOT HAVING THEIR RIGHTS RESTORED YET.
7) THOSE NOT COMPLYING WITH REGULATIONS FOR MILITARY SERVICE.
(MORE)
LODGE
ET

NOTE: ADVANCE COPY TO S/S-O, WHITE HOUSE, DOD, CIA, USIA, NSA 6/19/66 1:15 PM.

DECLASSIFIED Page 14 Weeks

INCOMING TELEGRAM *Department of State*

47

Action
FE

Info
SS
G
SP
SAH
L
H
IO
P
NSC
INR
AID
RSR

UNCLASSIFIED

NNNNVV EUA019PEA062
OO RUEHC
DE RUABSG 2339E/3 1701230
ZNR UUUUU
O 191045Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5632
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION THREE OF TEN JUNE 19

U 8945

1966 JUN 19 PM 12 58

8) CIVIL SERVANTS, MILITARY MEN, GOVERNMENT OFFICIALS IN ALL BRANCHES AND OF ALL LEVELS WHO HAVE FOR REASONS OF DISCIPLINE BEEN SUSPENDED, DISMISSED, OR FORCED TO RESIGN,

9) THOSE WHO HAVE DIRECTLY OR INDIRECTLY WORKED FOR THE COMMUNISTS AND PRO-COMMUNIST NEUTRALISTS, OR NEUTRALISTS WHOSE ACTIONS ARE ADVANTAGEOUS TO THE COMMUNISTS.

THE ABOVE POINT 1, 2, 3, AND 4 WILL NOT BE APPLIED TO THOSE WHO HAVE HAD THEIR STATUS RESTORED ACCORDING TO PROVISIONS STIPULATED IN DECREE-LAW 4/63 OF DECEMBER 24, 1963 OR WHO HAVE BEEN GRANTED AMNESTY BE DECREE-LAW 063-SL/CT OF JANUARY 29, 1964.

PAGE 2 RUABSG 2339E/3 UNCLAS

THOSE WHO HAVE BEEN SENTENCED FOR CRIMINAL OR LIGHT OFFENCES OF POLITICAL CHARACTER OR FOR POLITICAL REASONS BEFORE NOVEMBER 1, 1963, MAY APPEAL, BY JUNE 25, 1966 AT THE LATEST, FOR A COUNCIL'S DECISION THAT THE SENTENCE PASSED UPON THEM IS ONE WHICH WOULD NOT PREVENT THEM FROM RUNNING FOR DEPUTY SEATS.

THIS COUNCIL WILL BE PROVIDED BY THE PRESIDENT OF THE SUPREME COURT OF APPEAL, ASSISTED BY TWO ASSISTANT JUDGES OF THE SAME COURT SERVING AS MEMBERS AND WILL HAVE TO ISSUE A DECISION WITHIN TWO WEEKS FOLLOWING THE DATE OF RECEPTION OF THE APPLICATION.

ARTICLE 11. THOSE HOLDING THE FOLLOWING POSITIONS, AND THEIR INTIMATE ASSOCIATES, WILL NOT BE ALLOWED TO RUN WITHIN THE TERRITORY UNDER THEIR ADMINISTRATION:

UNCLASSIFIED

DECLASSIFIED

1) MAYORS, DEPUTY MAYORS, CHIEF OF PROVINCES, DEPUTY CHIEF OF PROVINCE, ASSISTANT CHIEFS OF PROVINCE. SECRETARIES GENERAL OF SAIGON CITY HALL, CHIEF OF DISTRICTS, DEPUTY CHIEF OF DISTRICT AND ASSISTANT CHIEF OF DISTRICT.

PAGE 3 RUABSG 2339E/3 UNCLAS

2) MAGISTRATES OF COURTS OF FIRST INSTANCE, CONCILIATION COURTS WITH EXTENDED JURISDICTION, AND CONCILIATION COURTS.

3) COMMANDING OFFICERS OF NATIONAL POLICE BRANCHES, FROM THE LEVEL OF CHIEF OF POLICE PRECINCT UP.

4) OFFICERS AND NCOS OF THE VIETNAMESE ARMED FORCES WHO ARE COMMANDERS OR DEPUTY COMMANDERS OF AN ADMINISTRATIVE OR MILITARY SECTOR, OR WHO ARE COMMANDERS OR DEPUTY COMMANDERS OF A VIETNAMESE ARMED FORCES UNIT FROM THE COMPANY LEVEL UP.

FURTHERMORE, THE-ABOVE-MENTIONED PERSONS AND THEIR INTIMATE ASSOCIATES ARE NOT ALLOWED TO RUN IN A TERRITORY PREVIOUSLY UNDER THEIR ADMINISTRATION IF THEY HAD NOT LEFT THIS TERRITORY FOR AT LEAST SIX FULL MONTHS.

ANY OFFICIAL WISHING TO RUN FOR NATIONAL CONSTITUENT ASSEMBLY DEPUTY MUST GO ON LEAVE ONE MONTH BEFORE ELECTION DAY WITHOUT EXCEPTION.

ARTICLE 12. ANY CITIZEN MAY ONLY RUN IN ONE CONSTITUENCY OR HAVE HIS NAME INSCRIBED ON ONE CANDIDATE LIST. CANDIDATES MUST ESTABLISH AN OFFICIAL ADDRESS AT THE ADMINISTRATIVE HEADQUARTERS OF THEIR CONSTITUENCY AS AN OFFICIAL PLACE OF LIAISON WITH LOCAL AUTHORITIES.

PAGE 4 RUABSG 2339E3 UNCLAS

APPLICATIONS FOR CANDIDATURE WILL BE SUBMITTED TO CITIES, MUNICIPALITIES OR PROVINCIAL ADMINISTRATION'S OFFICES NOT LATER THAN JULY 11, 1966 WITH THE FOLLOWING DOCUMENTS ATTACHED:

1) A BIRTH CERTIFICATE OR A DOCUMENT REPLACING IT.
2) A 2 POLICE RECORD NOT OLDER THAN THREE MONTHS.
3) A LEGAL CERTIFICATE OF RESIDENCE ON VIETNAMESE

DECLASSIFIED

DECLASSIFIED

TERRITORY DELIVERED BY THE MAYOR OF SAIGON, CHIEF OF MUNICIPALITY OR CHIEF OF PROVINCE OF THE PRESENT PLACE OF RESIDENCE.

4) A CERTIFICATE THAT CANDIDATE HAS COMPLIED WITH MILITARY DRAFT REGULATIONS, DELIVERED BY THE NATIONAL DEFENSE DEPARTMENT OR BY COMPETENT MILITARY SERVICES.

5) SYMBOLS WHICH THE CANDIDATE OR LIST OF CANDIDATES INTENDS TO USE IN THE CAMPAIGN PLUS TWO 4 M/M BY 6 M/M PHOTOGRAPHS.

6) RECEIPT SHOWING THAT THE CANDIDATE HAS PAID THE FEE FOR ELECTION EXPENSES STIPULATED IN ARTICLE 25.

7) A CERTIFICATE THAT THE CANDIDATE HAS BEEN GRANTED VIETNAMESE NATIONALITY, IF THE CANDIDATE COMES UNDER THE CONSIDERATIONS DESCRIBED IN ARTICLE 9, PARAGRAPH ONE.

PAGE 5 RUABSG 2339E/3 UNCLAS
SINGLE CANDIDATURE PROCEDURE WILL BE APPLIED IN CONSTITUENCIES WHERE ONLY ONE DEPUTY WILL BE ELECTED, FOR VIETNAMESE CANDIDATES OF KHMER DESCENT, AND IN CONSITUENCIES WHERE THERE WILL BE TWO DEPUTY SEATS; ONE OF THEM RESERVED FOR THE VIETNAMESE AND THE OTHER RESERVED FOR VIETNAMESE COMPATRIOTS OF KHMER DESCENT. IN THE ABOVE-MENTIONED CASES, THE CANDIDATES WILL RUN AS SEPARATE CANDIDATES.

IN CONSTITUENCIES WHERE THERE ARE SEATS RESERVED FOR COMPATRIOTS OF KHMER DESCENT, CANDIDATES' APPLICATIONS MUST SPECIFY THE CANDIDATES INTENTION TO BE THE DEPUTY OF THE VIETNAMESE OR THE VIETNAMESE OF KHMER DESCENT.

COLLECTIVE LIST CANDIDATURE PROCEDURE WILL BE APPLIED IN OTHER CONSTITUTENCIES.
(MORE) LODGE
BT

NOTE: PASSED S/ S-O, WHITE HOUSE, DOD, CIA, USIA, NSA 6/19/66 1:25 PM

DECLASSIFIED

INCOMING TELEGRAM Department of State

47

UNCLASSIFIED

Action
FE
Info
SS
G
SP
SAH
L
H
IO
P
NSC
INR
AID
RSR

FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5632
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION FOUR OF TEN JUNE 19

1966 JUN 19 PM 1:09
8947

EVERY COLLECTIVE CANDIDATE LIST
MUST INCLUDE A NUMBER OF CANDIDATES EQUIVALENT TO THAT OF
DEPUTY SEATS FIXED IN THE ENCLOSURE ATTACHED TO THIS DECREE LAW.

EVERY COLLECTIVE CANDIDATE LIST MUST CLEARLY SPECIFIY THE NAME OF THE ORGANIZATION (IF THERE IS ONE) THE CANDIDATES ARE REPRESEENTING, THE ORDER OF THE CANDIDATES, THE NAMES OF THE CANDIDATES, THEIR DATE AND PLACE OF BIRTH, THEIR PROFESSION, THEIR PLACE OF RESIDENCE, AND THE DUTY ATTESTED SIGNATURE OF EACH CANDIDATE.

IF DEEMED NECESSARY, EVERY COLLECTIVE CANDIDATE LIST MAY PROVIDE FOR A NUMBER OF ALTERNATE CANDIDATES. IN THIS CASE, ALTERNATE CANDIDATES MUST FILE AT THE SAME TIME AS THE OFFICIAL CANDIDATES FILE.

THE ADMINISTRATIVE SERVICE MUST IMMEDIATELY PROVIDE THE CANDIDATE WITH A RECEIPT AS PROOF THAT HE HAS MADE APPLICATION TO BECOME A CANDIDATE.

ARTICLE 13. THE LIST OF CANDIDATES, OR COLLECTIVE LISTS OF CANDIDATES, WILL BE ARRANGED ACCORDING TO THE SEQUENCE THEY FILE, FOLLOWING MONTH, DAY AND HOUR.

THE ABOVE LIST OF CANDIDATES' NAMES WILL BE POSTED FOR THE FIRST TIME AT ADMINISTRATIVE OFFICES ON JULY 14, 1966. A RECORD OF THIS POSTING MUST BE KEPT.

ARTICLE 14. CANDIDATES AND ELECTORS IN THE CONCERNED CONSTITUENCY MAY FILE COMPLAINTS ON CANDIDATES' QUALIFICATIONS AT SAIGON CITY, MUNICIPALITY OR PROVINCE ADMINISTRATIVE OFFICE WITHIN THE PERIOD OF JULY 15 TO JULY 18, 1966.

ON THE FOLLOWING DAY, JULY 19, 1966, THE LIST OF CANDIDATES AND COMPLAINTS WILL BE SENT TO THE COUNCIL STIPULATED IN ARTICLE 15 FOR EXAMINATION AND DECISION.

UNCLASSIFIED

DECLASSIFIED

-2- 5632, JUNE 19. FROM SAIGON. (SEC IV OF X).

ARTICLE 15. IN SAIGON CAPITOL AND EACH MUNICIPALITY, AND PROVINCE, A LOCAL COUNCIL WILL BE ESTABLISHED, WITH THE FOLLOWING COMPOSITION:

THE CHAIRMAN IS THE PRESIDING JUDGE OF THE COURT OF FIRST INSTANCE THE LOCAL CONCILIATION COURT WITH EXTENDED JURISDICTION, THE LOCAL CONCILIATION COURT, OR IF THERE IS NO COURT IN THIS LOCALITY ONE MAGISTRATE NOMINATED BY THE JUSTICE MINISTRY.

TWO REPRESENTATIVES OF CITY COUNCIL, MUNICIPALITY OR PROVINCIAL COUNCIL, NOT RUNNING FOR THE NATIONAL CONSTITUENT ASSEMBLY NOMINATED BY DRAWING OF LOTS, WILL SERVE AS MEMBERS.

THREE VOTERS REPRESENTATIVES DRAWN FROM A LIST OF 20: NOTABLIED AND PERSONALITIES, NOT RUNNING FOR THE NATIONAL CONSTITUENT ASSEMBLY, CHOSEN BY THE LOCAL AUTHORITIES WILL ALSO SERVE AS MEMBERS.

ONE REPRESENTATIVE OF CITY, TOWN OR PROVINCE ADMINISTRATIVE OFFICE WILL SERVE AS REPORTER AND WILL HAVE THE RIGHT TO VOTE.

ARTICLE 16. THE COUNCIL STIPULATED IN ARTICLE 15 WILL HAVE THE MISSION OF STUDYING FILES OF CANDIDATES IN ORDER TO DECIDE WITHINT THREE DAYS (JULY 20-22, 1966) WHETHER TO INSCRIBE OR TO STRIKE CANDIDATES' NAMES FROM THE LIST.

IN THE CASE THAT ONE OR MANY CANDIDATES' NAMES ARE STRUCK FROM THE COLLECTIVE CANDIDATES LIST, THE COUNCIL WILL DECIDE ON THE INSCRIBING OF NAMES OF ALTERNATE CANDIDATES, IF ANY, ON THE CONCERNED LIST. HOWEVER, IF THE CANDIDATES' NAMES HAVE BEEN STRUCK OUT FOR ACTIVITIES AS DESCRIBED IN ARTICLE 10, PARAGRAPH NINE, THE ABOVE-MENTIONED PROCEDURE WILL NOT BE STRICTLY APPLIED, AND ALL OTHER CANDIDATES OF THE LIST WILL NOT BE ALLOWED TO PARTICIPATE IN THE ELECTION CAMPAIGN.

THE COUNCIL MUST CONVENE A MEETING OF ALL CANDIDITATES ON JULY 22, 1966 AT THE LATEST, IN ORDER TO OFFICIALLY ANNOUNCE THE INSCRIPTION OR THE REFUSAL TO INSCRIBE CANDIDATES' NAMES ON THE CANDIDATES LIST.

WITHING THREE DAYS FOLLOWING THE ANNOUNCEMENT, THE LOCAL ADMINISTRATION AND CANDIDATES MAY SEND TO THE COUNCIL COMPLAINTS ON THE INSCRIPTION OR REMOVAL OF CANDIDATES' NAMES FROM THE CANDIDATES' LIST. ELECTORS ARE NOT ALLLOWED TO FILE COMPLAINTS IN THIS STATE.

ON JULY 18, 1966, AT THE LATEST, THE COUNCIL WILL TRANSMIT TO THE CENTRAL COUNCIL STIPULATED IN ARTICLE 17 THE LIST OF APPROVED CANDIDATES AS WELL AS FILES OF CANDIDATES SUBJECTED TO COMPLAINTS AND THE COMPLAINTS RECEIVED.

IN CASE THERE ARE NO COMPLAINTS, THE LOCAL COUNCIL WILL KEEP THE LIST

DECLASSIFIED

OF CANDIDATES WHICH IT HAD APPROVED FOR SECOND POSTING ON THE DAY FIXED IN ARTICLE 17.

ARTICLE 7. A CENTRAL COUNCIL WILL BE SET UP IN SAIGON TO BE COMPOSED OF:

THE PRESIDING JUDGE OF THE SUPREME COURT OF APPEAL SERVING AS CHAIRMAN.

THE CHAIRMAN OF THE STATE COUNCIL, OR A JUDGE IN THE ADMINISTRATIVE COURT APPOINTED BY THE CHAIRMAN OF THE STATE COUNCIL SERVING AS A MEMBER (MORE) LODGE

BT

NOTE: ADVANCE COPY TO S/S-O, WHITE HOUSE, DOD, CIA, USIA, NSA, 6/19/66 at 1:35 PM.

DECLASSIFIED

Pol 14 Vet-RS

INCOMING TELEGRAM Department of State

47

UNCLASSIFIED

Action
FE
Info
SS
G
SP
SAH
L
H
IO
P
NSC
INR
AID
RSR

VV EUB891PEA067
OO RUEHC
DE RUABSG 2339E/5 1701300 1966 JUN 19 PM 1 10
ZNR UUUUU
O 191045Z
FM AMEMBASSY SAIGON 18948
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5632
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION FIVE OF TEN JUNE 19

THE DEAN OF THE LAWYERS CORPS, OR A MEMBER OF THE LAWYERS CORPS APPOINTED BY THE DEAN, SERVING AS A MEMBER.

FIVE REPRESENTATIVES OF THE MILITARY-CIVILIAN COUNCIL SERVING AS MEMBERS.

ONE REPRESENTATIVE OF THE MINISTRY OF INTERIOR SERVING AS REPORTER WITH THE RIGHT TO VOTE.

THE CENTRAL COUNCIL HAS THE MISSION OF STUDYING COMPLAINTS ABOUT CANDIDATES WITHIN THE PERIOD OF TEN DAYS AND WILL IMMEDIATELY RETURN TO CONCERNED ADMINISTRATIVE OFFICIALS THE LIST OF CANDIDATES IT HAS APPROVED.

LISTS OF CANDIDATES OF ALL CONSTITUENCIES WILL BE POSTED A SECOND TIME ON AUGUST 12, 1966 AT ADMINISTRATIVE OFFICES. A REPORT SHOULD BE MADE ON THIS SECOND POSTING.

CHAPTER IV
ELECTION CAMPAIGN

ARTICLE 18. THE ELECTION CAMPAIGN WILL BE ORGANIZED ON A COMPLETELY EQUAL BASIS BETWEEN ALL CANDIDATES AND COLLECTIVE CANDIDATE LISTS WITH MEANS DECIDED AND PROVIDED BY THE ELECTION CAMPAIGN COMMITTEE.

ARTICLE 19. IN EACH CONSTITUENCY AN ELECTION CAMPAIGN COMMITTEE WILL BE SET UP CONSISTING OF CANDIDATES OR THEIR REPRESENTATIVES.

IN THE CASES WHERE THERE ARE SINGLE CANDIDATES, EACH CANDIDATE HAS THE RIGHT TO DESIGNATE A REPRESENTATIVE.

IN THE CASE WHERE THERE ARE LISTS OF CANDIDATES, EACH LIST HAS THE RIGHT TO DESIGNATE A REPRESENTATIVE.

IN EACH ELECTORAL DISTRICT WHERE THERE IS A DEPUTY SEAT RESERVED FRO VIETNAMESE COMPATRIOTS OF KHMER DESCENT,

UNCLASSIFIED

August 5632

DECLASSIFIED

5632, JUNE 19. FROM SAIGON. (SEC V OF X).

THERE WILL BE AN ADDITIONAL ELECTION CAMPAIGN COMMITTEE FOR THOSE CANDIDATES OF KHMER DESCENT.

CANDIDATES AND CANDIDATE LISTS MAY CHANGE THEIR REPRESENTATIVES THROUGHOUT THE CAMPAIGN.

CANDIDATES AND CANDIDATE LISTS MUST INFORM LOCAL AUTHORITIES ABOUT THE NAME AND ADDRESS OF THEIR REPRESENTATIVES, IF ANY, BY AUGUST 13, 1966, AT THE LATEST.

THE ELECTION CAMPAIGN COMMITTEE WILL ELECT A CHIEF FOR THE MANAGEMENT OF THE COMMITTEE'S AFFAIRS AND FOR LIAISON WITH THE LOCAL ADMINISTRATION.

ARTICLE 20. THE ELECTION CAMPAIGN COMMITTEE'S FIRST MEETING WILL BE CONVENED BY LOCAL AUTHORITIES ON AUGUST 15, 1966, AT THE LATEST.

ARTICLE 21. THE ELECTION CAMPAIGN COMMITTEE WILL BE CHARGED WITH FOLLOWING TASKS:

1) TO FIX THE NUMBER, THE SIZE, THE COLOR OF POSTERS AND LEAFLETS. EVERY CANDIDATE WILL HAVE AT THE MAXIMUM TWO KINDS OF POSTERS NOT LARGER THAN 65M BY 100 M AND TWO KINDS OF LEAFLETS NOT LARGER THAN 20 M BY 25M.

2) TWO PRINT AND TRANSPORT POSTERS AND TO FIX THE DATE OF POSTING AND PLACES ON WHICH POSTERS WILL BE STUCK AND MODES OF DISTRIBUTION OF LEAFLETS IF NECESSARY. LEAFLETS MAY BE HANDED TO ELECTORS AT THE LATTERS' HOMES.

3) TO ORGANIZE CANDIDATES' TALKS WITH ELECTORS.

4) TO FIX MODES OF USE OF RADIO-CARS, RADIO STATIONS OR TELEVISION STATIONS, IF THERE ARE ANY.

5) TO FIX THE FORM OF PRESS CONFERENCES OR OF THE USE OF THE PRESS IN THE CAMPAIGN.

ARTICLE 22. RESOLUTIONS OF THE ELECTION CAMPAIGN COMMITTEE WILL BE EFFECTIVE IF APPROVED BY MORE THAN HALF OF ITS MEMBERSHIP. IN CASE OF A TIE VOTE, THE CHIEF'S VOTE WILL BE DECISIVE.

ARTICLE 23. IF THERE ARE DIFFERENCES OF OPINION WITH IN THE COMMITTEE OR COMPLAINTS FROM THE COMMITTEE MEMBERS, THE LOCAL COUNCIL WHICH EXAMINES CANDIDATES' LISTS WILL SOLVE THE PROBLEM AND ITS DECISION WILL BE FINAL.

ARTICLE 24. NOBODY IS ALLOWED TO MAKE USE OF CAMPAIGN MEANS OUTSIDE THE NUMBER AND MODES FIXED BY THE ELECTION CAMPAIGN COMMITTEE IN ARTICLE 21.

DECLASSIFIED

DECLASSIFIED

-3- 5638, JUNE 19, FROM SAIGON. (SEC V OF X).

ARTICLE 25. EXPENDITURES ON ORGANIZATION OF ELECTIONS INCLUDING CAMPAIGN EXPENDITURES WILL BE BORNE BY THE NATIONAL BUDGET.

CONCERNING CAMPAIGN EXPENDITURES THE MAXIMUM IS VN$2 FOR EACH ELECTOR TIMES THE NUMBER OF CANDIDATES IN CONSTITUENCIES WHERE THE ELECTION WILL BE CONDUCTED ACCORDING TO SIGLE LIST CANDIDATURES. IF THERE ARE MORE THAN FOUR CANDIDATES IN A CONSTITUENCY, THE TOTAL AMOUNT OF EXPENDITURES STILL MAY NOT EXCEED VN$8 FOR EACH ELECTOR IN THE CONSTITUENCY. HOWEVER, THE FUNDS ALLOTTED MAY NOT BE UNDER VN$20,000 NOR EXCEED VN$40,000 FOR EACH CANDIDATE. (MORE)

LODGE

BT

NOTE: ADVANCE DELIVERY TO S/S-O, WHITE HOUSE, DOD, CIA, USIA, NSA, 6/19/66 at 1:43 P.M.

DECLASSIFIED

INCOMING TELEGRAM *Department of State*

47

UNCLASSIFIED

Action FE

Info SS G SP SAH L H IO P NSC INR AID RSR

NNNNVV EUA022PEA069
OO RUEHC
DE RUABSG 2339E/6 1701510
ZNR UUUUU
O 191045Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5632
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION SIX OF TEN/JUNE 19

1966 JUN 19 PM 1 26

IN CONSTITUENCIES WHERE THE ELECTION WILL BE CONDUCTED ACCORDING TO LIST CANDIDATURE, THE MAXIMUM TO BE BORNE BY THE NATIONAL BUDGET IS VN3.00 FOR EACH ELECTOR TIMES THE NUMBER OF CANDIDATE LISTS. IF THERE ARE MORE THAN FOUR LISTS, THE TOTAL AMOUNT OF EXPENDITURES STILL MAY NOT EXCEED VN$12,00 FOR EACH ELECTOR IN THE CONSITUENCY. HOWEVER, THE ALLOCATED EXPENDITURES MAY NOT EXCEED VN 200,000 FOR EACH LIST.

IN CASE THE CANDIDATES UNANIMOUSLY DEEM IT NECESSARY TO PROVIDE A BIGGER FUND FOR CAMPAIGNING, THE NATIONAL BUDGET WILL ALSO BEAR EXPENDITURES TO THE ABOVE-MENTIONED LIMIT AND THE EXCESS WILL BE BORNE BY ALLCANDIDATES.

ARTICLE 26. TO RUN FOR THE NATIONAL CONSTITUENT ASSEMBLY EVERY CANDIDATE MUST DEPOSIT VN10,000 IN THE TREASURY FOR CAMPAIGN EXPENDITURES.

IN CASE THE CANDIDATE WITHDRAWS AFTER POSTERS AND LEAFLETS HAVE BEEN PRINTED, OR DOES NOT GET MORE THAN 50 PERCENT OF THE TOTAL NUMBER OF VALID VOTES OF HIS CONSTITUENCY, THE VN10,000 DEPOSIT WILL NOT BE RETURNED TO THIS CANDIDATE.

BESIDES, THIS CANDIDATE MUST PAY TO THE NATIONAL BUDGET THE DIFFERENCE BETWEEN THE VN10,000 DEPOSIT AND EXPENDITURES IN PRINTING OF CAMPAIGN DOCUMENTS RELATED TO THAT CANDIDATE IF THOSE EXPENDITURES AMOUNT TO MORE THAN VN10,000. CANDIDATES ON THE SAME LIST ARE JOINTLY RESPONSIBLE FOR THE RETURN OF THE ABOVE AMOUNT TO THE NATIONAL BANK.

THE WITHDRAWAL OF CANDIDACY WILL NOT BE ACCEPTED FOR PEOPLE ON THIS SAME LIST.

ARTICLE 27. THE CAMPAIGN WILL BEGIN AT THE EARLIEST 16 DAYS

DECLASSIFIED

BEFORE ELECTION DAY AND WILL END ON SEPTEMBER 10, 1966 AT 12:00 NOON.

CHAPTER V

MANNER OF VOTING

ARTICLE 28. THE DEPUTIES OF THE CONSTITUENT ASSEMBLY ARE ELECTED IN ACCORDANCE WITH ONE OF THE TWO PROCESSES DESCRIBED AS FOLLOWS:

1. IN CNSTITUENCIES WHERE SINGLE CANDIDACY IS IN FORCE, THE VOTING IS DONE ON A SINGLE BALLOTING, AND BY RELATIVE MAJORITY.

2. IN CONSTITUENCIES WHERE LIST VOTING IS REQUIRED, THE CANDIDATES ARE ELECTED BY RATIO AND BY HIGHEST NUMBER OF VOTES, IN LOGICAL ORDER AND WITHOUT PRIVILEGE.

ARTICLE 29. THE AUTHORITIES IN THE ELECTORAL DISTRICT WILL BE IN CHARGE OF THE PRINTING OF BALLOTS.

IN CONSITUENCIES WHERE SINGLE CANDIDATE BALLOTING IS HELD, EACH BALLOT HAS THE FORM OF A RECTANGLE, 15CM IN LENGTH, 10CM IN WIDTH, IN CONFORMITY WITH THE MODEL ENCLOSED HEREWITH (COPY NUMBER 2). ON EACH BALLOT THERE WILL APPEAR ONLY THE NAME AND SURNAME OF THE CANDIDATE WITH HIS SPECIAL SYMBOL WHICH PERMITS THE VOTERS TO DIFFERENTIATE ONE CANDIDATE FROM ANOTHER. THE NAME AND SURNAME OF EACH CANDIDATE WILL BE PRINTED WITH LETTERS WHICH CANNOT EXCEED ONE CENTIMETER IN HEIGHT, A SYMBOL ON THE UPPER RIGHT HAND CORNER WITHIN A SQUARE OF FIVE CENTIMETERS. A PHOTO OF THE CANDIDATE NO LARGER THAN FIVE CENTIMETERS SQUARE CAN BE PRINTED AT THE UPPER LEFT HAND CORNER. ALL THE BALLOTS IN THE SAME CONSTITUENCY MUST BE PRINTED ON WHITE PAPER IN THE SAME COLOR INK.

IN CONSTITUENCIES WHERE LIST BALLOTING IS HELD, THE BALLOT WILL BEAR ALL THE CANDIDATES NAMES OF EACH LIST ARRANGED IN THE ORDER OF INSCRIPTION OR THE LIST OF CANDIDACY, IN CONFORMITY WITH MODEL ENCLOSED HEREWITH (MODEL NUMBER 3). AT THE HEAD OF THE BALLOT THE NAME OF THE CANDIDATES' GROUP, IF THERE IS ANY, AND ITS COMMON NAME WILL BE CLEARLY MENTIONED. THE NAME AND SURNAM OF EVERY CANDIDATE WILL BE PRINTED WITH LETTERS OF ONE CENTIMETERS IN HEIGHT WITHIN A RECTANGLE OF THREE CENTIMERS IN WIDTH. AFTER THE CANDIDATE'S NAME, A PHOTO CAN BE PRINTED AT THE UPPER RIGHT HAND CORNER WITHIN A SQUARE OF FIVE CENTIMETERS. THE BALLOT WILL BE PRINTED IN ONE COLOR ON WHITE PAPER AND ITS FORM WILL DEPEND ON THE NUMBER OF CANDIDATES OF EACH GROUP

THE CANDIDATES ARE FREE TO CHOOSE THEIR PERSONAL SYMBOLS, BUT QUEER, INTERNATIONAL, AND RELIGIOUS SYMBOLS ARE FORBIDDEN. SYMBOLS OF POLITICAL GROUPS CAN BE USED EXCEPT IN CASES WHERE THEY ARE CONTESTED BY THE CENTRAL EXECUTIVE COMMITTEE OF THE

DECLASSIFIED

DECLASSIFIED

-3- 5632, JUNE 19. FROM SAIGON. (SEC VI OF X).

ORGANIZATIONS.

CANDIDATES AND LISTS OF CANDIDATES ARE NOT ALLOWED TO USE SYMBOL SIMILAR TO THOSE OF OTHER CANDIDATES IN THE SAME CONSTITUENCY. THE SYMBOLS MUST BE APPROVED BY THE ELECTORAL CAMPAIGN COMMITTEES.

THE BALLOTS ARE TO BE BOUND IN PADS, EACH ONE TO HAVE ONE HUNDRED LEAVES AND NUMBERED COVERS. (MORE)

LODGE

BT

NOTE: ADVANCE COPY TO S/S-O, WHITE HOUSE, DOD, CIA, USIA, NSA, 6/19/66 at 2:10PM.

DECLASSIFIED

Political Affairs

INCOMING TELEGRAM *Department of State*

47

UNCLASSIFIED

Action FE

Info SS G SP SAH L H IO P NSC INR AID RSR

VV EUB392PEA070
OO RUEHC
DE RUABSG 2339E/7 1701345
ZNR UUUUU
O 191045Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5632
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION SEVEN OF TEN JUNE 19

18952
1966 JUN 19 PM 1:32

ART. 30. THE LOCATION OF POLLING STATIONS WILL BE DECIDED BY THE MAYORS AND CHIEFS OF PROVINCE AND ANNOUNCED PUBLICLY THREE DAYS BEFORE THE ELECTION DAY AT THE LATEST.

A COMMITTEE COMPOSED OF A CHAIRMAN, A DEPUTY CHAIRMAN AND AT LEAST TWO MEMBERS, IS IN CHARGE OF EACH POLLING STATION. THE CHAIRMAN AND DEPUTY CHAIRMAN WILL BE APPOINTED BY THE MAYORS AND CHIEFS OF PROVVINCE AND WILL BE CHOSEN FROM THOSE WHO ARE KNOWN FOR THEIR SERIOUSNESS AND COMPETENCE IN ELECTORAL LAWS. THE MEMBERS ARE CHOSEN BY

PAGE 2 RUABSG 2339E/7 UNCLAS
THE CHAIRMAN FROM THE VOTERS PRESENT AT THE POLLING STATION ON ELECTION DAY.

EACH CANDIDATE HAS THE RIGHT TO DESIGNATE AN OBSERVER IN THE POLLING STATION. THE LATTER MUST POSSESS A CERTIFICATE DELIVERED BY THE CANDIDATE AND DULY CERTIFIED BY THE AUTHORITIES.

THE CHAIRMAN IS ENTRUSTED WITH THE TASK OF SUPERVISING THE VOTING SO THAT IT WILL PROCEED IN CONFORMITY WITH THE ELECTORAL LAWS. HE IS RESPONSIBLE FOR KEEPING ORDER AT THE POLLING STATION.

THE CHAIRMAN IS OBLIGED TO MAKE A REPORT IMMEDIATELY IF ANY FRAUD OR TRICK IS OBSERVED OR BECAUSE OF COMPLAINTS MADE BY THE CANDIDATES' REPRESENTATIVES.

ART. 31. THE ADMINISTRATION OF THE POLLING STATION IS PUBLIC.

THE VOTING BEGINS AT 0700 AND ENDS AT 1600 THE SAME DAY.

ART. 32. WHEN THE VOTING BEGINS, AND IN THE PRESENCE OF HIS SUBORDINATES AND THE OBSERVERS WHO REPRESENT THE CANDIDATES, THE COMMITTEE HEAD OPENS THE BALLOT BOX AND SHOWS IT TO THE PUBLIC SO THAT THE LATTER CAN SEE THAT THE BALLOT BOX IS EMPTY AND IT HAS ONLY A SLOT WHICH ENABLES THE BALLOT

UNCLASSIFIED

DECLASSIFIED

PAGE 3 RUABSG 2339E/7 UNCLAS

ENVELOPE TO PASS THROUGH.

THEN THE BALLOT BOX IS CLOSED BY TWO DIFFERENT LOCKS WHOSE KEYS ARE KEPT ONE BY THE COMMITTEE HEAD AND THE OTHER BY THE DEPUTY COMMITTEE HEAD.

DURING THE WHOLE TIME OF VOTING, IT IS STRICTLY FORBIDDEN TO OPEN THE BALLOT BOX.

ART. 33. THE VOTERS MUST GO IN PERSON TO VOTE AT THE POLLING STATIONS. THEY ARE NOT ALLOWED TO SEND THEIR VOTING PAPERS BY MAIL OR ACCREDIT OTHER PERSONS TO VOTE FOR THEM. WHEN ENTERING THE POLLING STATION, THE VOTER IS FORBIDDEN TO CARRY WEAPONS. HE MUST SHOW HIS VOTING CARD TOGETHER WITH HIS IDENTITY CARD BEFORE RECEIVING AN ENVELOPE AND THE BALLOTS.

THE BALLOT FOR EACH CANDIDATE OR LIST OF CANDIDATES WILL BE ON A SEPARATE SHEET OF PAPER.

THE PERSON WHO DISTRIBUTES THE BALLOTS MUST GIVE EACH VOTER ONE EACH OF ALL OF THEM AND ALTERNATE THE SEQUENCE IN WHICH THEY ARE HANDED TO THE VOTER.

THE VOTER MUST GO ALONE INTO A COVERED BOOTH. IF HE WISHES TO NOTE FOR THE CANDIDATE OR THE LIST OF HIS CHOICE, HE

[redacted] WILL CHOOSE THE BALLOT OF THIS CANDIDATE OR LIST AND PUT IT IN AN ENVELOPE.

IN CONSTITUENCIES WHERE LIST BALLOTING IS IN FORCE, THE VOTER MUST CHOOSE ONE FROM THE MANY BALLOTS PRINTED FOR THIS PURPOSE, AND CANNOT ADD, REDUCE OR INSERT ANY OTHER NAMES, CHANGE THE ORDER OF THE CANDIDATES' NAMES ON THE BALLOT OR CHOOSE THE CANDIDATES WHOSE NAMES APPEAR ON DIFFERENT BALLOTS. THE REMAINING BALLOTS MUST BE TORN APART AND DROPPED IN A CONTAINER PLACED AT THE POLLING BOOTH.

UPON LEAVING THE POLLING BOOTH, THE VOTER WILL TAKE WITH HIM THE ENVELOPE CONTAINING THIS BALLOT, HOLD IT HIGH TO SHOW THERE IS ONLY ONE ENVELOPE, THEN DROP IT IN THE BALLOT BOX.

PHYSICALLY HANDICAPPED VOTERS MAY BE ALLOWED BY THE COMMITTEE HEAD TO ASK OTHER VOTERS TO HELP THEM. THE

DECLASSIFIED

DECLASSIFIED

COMMITTEE HEAD HAS FULL AUTHORITY TO DECIDE ON THESE CASES.
AFTER THEY HAVE VOTED, THE VOTERS HAVE THEIR VOTING CARDS CUT AT A CORNER AND STAMPED BY A MEMBER OF THE COMMITTEE IN CHARGE OF THE POLLING STATION. THE CORNERS CUT FROM VOTING CARDS MUST BE PRESERVED FOR FURTHER CHECKING

PAGE 5 RUABSG 2339E/7 UNCLAS
AGAINST THE NUMBER OF VOTERS WHO HAVE VOTED.
(MORE)
LODGE
BT

NOTE: PASSED WHITE HOUSE, S/S-O, DOD, CIA, USIA, NSA 6/19/66 2:20 PM

DECLASSIFIED

Pac 14 Viks

INCOMING TELEGRAM *Department of State*

47

UNCLASSIFIED

Action
FE

Info
SS
G
SP
SAH
L
H
IO
P
NSC
INR
AID
RSR

VV EUA028PEA079
OO RUEHC
DE RUABSG 2339E/8 1731600
ZNR UUUUU
O 191045Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5632
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION EIGHT OF TEN JUNE 19

18958

1966 JUN 19 PM 2 24

ART. 34. IN MILITARY POSTS WHERE THERE IS ONE BATTALION OR MORE, SPECIAL POLLING STATIONS CAN BE SET UP FOR MILITARY MEN AND THEIR FAMILIES, BUT THE PROCEDURES OF VOTING MUST BE THE SAME AS THOSE EMPLOYED AT OTHER POLLING STATIONS.

ART. 35. IN POLLING STATIONS WHERE THERE ARE RESERVED SEATS IN THE NATIONAL COSTITUENT ASSEMBLY FOR CANDIDATES OF KHMER ORIGIN, THE VOTING IS THE SAME FOR ALL CITIZENS.

HOWEVER, FOR THE CONVENIENCE OF COUNTING BALLOTS, THE VOTING WILL BE DONE IN TWO SIMULATANEOUS ACTIONS; ONE FOR THE VIETNAMESE AND ONE FOR THE VIETNAMESE COMPATRIOTS OF KHMER ORIGIN.

PAGE 2 RUABSG 2339E/8 UNCLAS

FOR THIS PURPOSE IN EACH POLLING PLACE THERE ARE PLACED TWO BALLOT BOXES, ONE IS RESERVED FOR VIETNAMESE CANDIDIATES OR LISTS OF CANDIDATES AND THE OTHER FOR THE BALLOTS OF THE VIETNAMESE OF KHMER DESCENT.

ART. 36. THE LOCAL COUNCIL WHICH EXAMINES AND CONFIRMS THE LISTS OF VOTERS, DESCRIBED IN ARTICLE 15, ALSO HAS THE RESPONSIBILITY OF SUPERVISING THE COMMITTEE RESPONSIBLE FOR THE POLLING STATION AND CONTROLLING THE VOTING ON ELECTION DAY.

CHAPTER VI

COUNTING OF BALLOTS AND ANNOUNCING RESULTS

ART. 37 THE COUNTING OF BALLOTS MUST BE CARRIED OUT PUBLICLY AT THE POLLING STATION IMMEDIATELY AFTER THE END OF THE VOTING.

UNCLASSIFIED

DECLASSIFIED

IF BY ACCIDENT A KEY IS MISSING, THE BALLOT BOX MUST BE OPENED BY ANY MEANS AND THE FACT NOTED DOWN IN THE REPORT.

ART.38. BEFORE PROCEEDING TO COUNTING OF THE BALLOTS, THE COMMITTEE HEAD HAS TO TOTAL THE NUMBER OF PRESERVED CORNERS CUT FROM VOTERS CARDS AND ALSO CHECK THE NUMBER OF BALLOTS DISTRIBUTED IN ORDER TO RECONCILE IT WITH THE NUMBER OF VOTERS WHO HAVE VOTED. THEN HE PUBLICLY ANNOUNCES THE NUMBER

PAGE 3 RUABSG 2339E/8 UNCLAS
TO THE VOTERS PRESENT AND NOTES IT IN THE COMMITTEE REPORT.

THE COMMITTEE IN CHARGE OF THE POLLING STATION WILL APPOINT FROM AMONG THE VOTERS PRESENT WHO CAN READ AND WRITE A NUMBER WHO WILL COUNT THE BALLOTS. THEY WILL BE DIVIDIED INTO GROUPS OF FOUR PERSONS.

EACH CANDIDATE OR EACH LIST CAN APPOINT A NUMBER OF COUNTERS WHO WILL JOIN THE ABOVE GROUPS. BEFORE THE OPENING OF THE BALLOT BOX, THE CANDIDATE MUST GIVE THE NAMES OF THE COUNTERS CHOSEN BY HIM SO THAT THE COMMITTEE HEAD CAN MAKE A LIST OF COUNTERS.

THE COMMITTEE HEAD OPENS THE BALLOT BOX AND PROCEEDS TO THE COUNTING OF THE ENVELOPES. IF THE NUMBER OF ENVELOPES EXCEEDS THE NUMBER OF VOTERS WHO HAVE VOTED, IT MUST BE NOTED IN THE REPORT. THE NUMBER OF VOTERS WHO HAVE IS THE NUMBER OF CORNERS OUT FROM THE VOTERS' CARDS.

THE COMMITTEE HEAD GIVES TO EACH GROUP OF COUNTERS A NUMBER OF ENVELOPES. IN EACH GROUP, THE FIRST COUNTER OPENS THE ENVELOPE AND HANDS OVER THE VOTING PAPER TO THE SECOND COUNTER WHO READS ALOUD THE CANDIDATE'S NAME AND SURNAME

PAGE 4 RUABSG 2339E/8 UNCLAS
THEN THE VOTING PAPER IS HANDED OVER TO THE TWO OTHER TWO COUNTERS WHO SEPARATELY CHECK IT AND WRITE DOWN IN INK THE CANDIDATE'S NAME ON A TALLY SHEET.

WHEN COUNTING, THE FIRST AND SECOND COUNTERS ARE NOT ALLOWED TO HOLD ANYTHING IN THEIR HANDS WHICH MIGHT MAKE THE BALLOTS IRREGULAR.

ART.39. THE FOLLOWING IRREGULARITIES WILL CAUSE BALLOTS TO BE CONSIDERED VOID AND WORTHLESS:

DECLASSIFIED

DECLASSIFIED

A) ENVELOPES WHICH CONTAIN NOTHING.
B) ENVELOPES WHICH CONTAIN SOMETHING OTHER THAN THE BALLOTS.
C) BALLOTS WHICH ARE NOT INSIDE ENVELOPES.
D) BALLOTS FROM WHICH THE CANDIDATE'S NAME HAS BEEN TORN OUT.
E) ENVELOPES WHICH CONTAIN MORE THAN ONE BALLOT. HOWEVER, IF THERE BE MORE THAN ONE BALLOT BEARING THE SAME NAME IN THE ENVELOPE, THE VOTE WILL BE CONSIDERED VALID AND COUNT AS ONE VOTE.
F) ENVELOPES AND BALLOTS ON WHICH WORDS OR SIGNS ARE ADDED.
G) BALLOTS ON WHICH THE CANDIDATE'S NAMES ARE ALTERED OR CHANGED OR WHOSE ORDER IS MODIFIED. (MORE)
LODGE
BT

NOTE: PASSED S/S-O, WHITE,HOUSE, DOD, CIA, USIA, NSA 6/19/66 2:30 PM

DECLASSIFIED

Pac 14 Vols

INCOMING TELEGRAM *Department of State*

47

UNCLASSIFIED

Action FE

Info SS G SP SAH L H IO P NSC INR AID RSR

VV EUB394PEA073
OO RUEHC
DE RUABSG 2339E/9 1701630
ZNR UUUUU
O 191045Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5632
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION NINE OF TEN JUNE 19

18957
June 19, 1966
1:16 PM

THE COMMITTEE HEAD AND ONE MEMBER OF THE COMMITTEE MUST SIGN ON THE IRREGULAR ENVELOPE OR BALLOT WHICH WILL THEN BE ENCLOSED WITH THE COMMITTEE REPORT STATING THE CAUSE OF THE IRREGULARITY.

IN THE IRREGULAR ENVELOPES AND BALLOTS ARE NOT ENCLOSED WITH THE REPORT, THE ELECTION WILL BE ANNULLED ONLY IN THE CASE THAT THE IRREGULAR BALLOTS COULD MODIFY THE RESULTS OF THE ELECTION.

ART. 40. IMMEDIATELY AFTER THE COUNTING OF VOTES, THE COMMITTEE IN CHARGE OF THE POLLS WILL CONFIRM THE RESULTS OF THE BALLOTING AND PUT ITS SIGNATURE ON A REPORT IN FOUR COPIES.

THE CHIEF OF THE COMMITTEE WILL POST ONE COPY IN HIS OFFICE, KEEP FOR HIMSELF ANOTHER COPY AND SEND THE TWO REMAINING COPIES TOGETHER WITH THE FILES TO THE PRINCIPAL POLLING STATION FOR SUMMING UP OF ELECTION RESULTS IN EACH CONSTITUENCY.

FILES OF EACH POLLING STATION ARE COMPOSED OF TWO PARTS, SEALED SEPARATELY:

PART A REPORT ON ACTIVITIES OF THE COMMITTEE IN CHARGE OF THE POLLING STATION.
-TALLY AND CONTROL SHEETS.
-IRREGULAR ENVELOPES AND BALLOTS.
-ENVELOPES AND BALLOTS SUBJECT TO COMPLAINTS, IF ANY.

PART B- BALLOTS NOT DISTRIBUTED.
-LIST OF ELIGIBLE VOTERS.
-CORNERS CUT FROM VOTERS' CARDS.

ART. 41 IF THERE ARE MANY SIGNS INDICATING THAT THERE MAY BE SERIOUS DISTURBANCES OR SABOTAGE DURING THE COUNTING OF VOTES, THE MAYOR OF SAIGON, CHIEFS OF MUNICIPALITY, CHIEFS OF PROVINCE, OR CHIEFS OF DISTRICT MAY ALLOW THE COMMITTEE

DECLASSIFIED

IN CHARGE OF THE POLLING STATION TO BRING BALLOT BOXES TO A MORE SECURE PLACE TO COUNT THE BALLOTS.

IN SUCH A CASE; THE FOLLOWING MEASURES SHOULD BE STRICTLY APPLIED:

A) VOTERS AND CANDIDATES MUST BE INFORMED.

B) BEFORE MOVING THE BALLOT BOXES, THE CHIEF OF THE COMMITTEE MUST SEAL ALL BALLOT BOXES, SLOTS IN BALLOT BOXES, AND THE TWO LOCKS AS WELL AS DOCUMENTS RELATING TO PART B OF FILES STIPULATED IN ART. 43.

C) FROM THE START OF THE MOVE UNTIL THE COUNTING OF VOTES, REPRESENTATIVES OF CANDIDATES AND ALL COMMITTEE MEMBERS MUST BE PRESENT.

THIS FACT MUST BE ENTERED IN THE REPORT.

ART. 42. THERE WILL BE A PRINCIPAL POLLING STATION FOR EACH CONSTITUENCY.

THE COMMITTEE IN CHARGE OF THIS PRINCIPAL POLLING STATION WILL INCLUDE ONE COMMITTEE CHIEF, TWO DEPUTY CHIEFS, AND AN EVEN NUMBER OF COMMITTEE MEMBERS, AT LEAST FOUR. THE COMMITTEE CHIEF AND THE MEMBERS WILL BE NOMINATED ACCORDING TO THE METHODS STIPULATED IN ART. 30.

CANDIDATES OR THEIR REPRESENTATIVES ARE ALLOWED TO WATCH THE PERSONNEL OF THIS COMMITTEE AT WORK.

THE COMMITTEE IN CHARGE OF THE PRINCIPAL POLLING STATION HAS THE DUTY OF SUMMING UP THE RESULTS OF COUNTING OF VOTES, OF ESTABLISHING A REPORT IN THREE COPIES FOR THE CONSTITUENCY AND OF SENDING ALL DOCUMENTS RELATED TO THE ELECTION TO THE LOCAL COUNCIL STIPULATED IN ARTICLE 15.

ARTICLE 43. IN THE CASE OF SINGLE NAME BALLOWING, THE CANDIDATE WHO OBTAINS THE GREATEST NUMBER OF VOTES WILL BE DECLARED ELECTED.

IN CASE OF A TIE, THE OLDER CANDIDATE WILL BE DECLARED ELECTED.

ARTICLE 44. IN THE CASES OF LIST BALLOTING, THE NUMBER OF SEATS IN THE NATIONAL CONSTITUENT ASSEMBLY WILL BE ALLOTED TO EACH LIST ACCORDING TO THE PROPORTION OF VOTES OBTAINED.

AT FIRST, THE COMMITTEE AT THE PRINCIPAL POLLING STATION WILL CALCULATE THE ELECTORAL QUOTIENT OF THE CONSTITUENCY BY DIVIDING THE TOTAL OF VOTERS WHO HAVE CASTS THEIR BALLOTS BY THE NUMBER OF DEPUTIES IN THE CONSTIUENCY. THEN, THE NUMBER OF SEATS IN THE NATIONAL CONSTITUENT ASSEMBLY ALLOTED TO EACH LIST OF CANDIDATES WILL BE CALCULATED BY DIVIDING THE TOTAL OF VOTES OBTAINED BY EACH LIST BY ELECTORAL QUOTIENT.

IF AFTER THIS OPERATION, THERE ARE ANY NUMBER OF SEATS

(MORE)

LODGE

BT

NOTE: ADVANCE COPY TO S/S-O, WHITE HOUSE, DOD, CIA, USIA, NSA. 6/19/66 at 2:40 PM.

INCOMING TELEGRAM *Department of State*

47

Action
FE

Info
SS
G
SP
SAH
L
H
IO
P
NSC
INR
AID
RSR

UNCLASSIFIED

1966 JUN 19 PM 2 44

A 8960

VV EUA031PEA086
OO RUEHC
DE RUABSG 2339E/10 1701700
ZNR UUUUU
O 191045Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5662
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION TEN OF TEN JUNE 19

LEFT UNFILLED, THESE SEATS WILL BE ALLOTED TO THE LIST OF CANDIDATES WHICH HAVE THE HIGHEST REMAINDER OF VOTES ABOVE AND BEYOND THE ELECTORAL QUOTIENT.

ANY LIST WHICH OBTAINS LESS THAN 50 PERCENT OF THE TOTAL OF VOTES IN THE CONSTITUENCY WILL NOT RECEIVE ANY SEATS.

IN EVERY LISTA, CANDIDATES WILL BE CONSIDERED AS ELECTED IN CONFORMITY WITH THE ORDER IN THAT LIST OF CANDIDATES, AS POSTED THE SECOND TIME. IF AN ELECTED CANDIDATE IS NOT ACCEPTED BY THE NATIONAL CONSTITUENT ASSEMBLY, DIES, RESIGNS, OR LEAVES OFFICE FOR ANY OTHER REASONS, THE CANDIDATE WHO IMMEDIATELY FOLLOWS THE CONCERNED CANDIDATE ON THE LIST IF ANY, WILL REPLACE HI

THOSE WHO RUN AS CANDIDATES IN MORE THAN ONE CONSTITUENCY OR MORE THAN ONE LIST, WILL NOT BE CONSIDERED AS HAVING BEEN ELECTED IN ANY CONSTITUENCY.

IN CONSTITUENCIES WHERE SEATS IN THE NATIONAL CONSTITUENT ASSEMBLY ARE RESERVED FOR CITIZENS OF CAMBODIAN ORGIN, THE RESULTS OF THE BALLOTING WILL BE CALCULATED SEPARATELY; CANDIDATES OF CAMBODIAN ORIGIN WILL ONLY COMPETE AGAINST EACH OTHER AND VIETNAMESE CANDIDATES WILL COMPETE AGAINST VIETNAMESE CANDIDATES ONLY.

ART. 45. VOTERS AND CANDIDATES IN EACH CONSTITUENCY HAVE THE RIGHT TO FILE COMPLAINTS ABOUT VIOLATIONS OF ELECTION REGULATIONS IN THEIR CONSTITUENCY.

COMPLAINTS MADE ON GOOD GROUDS MUST BE SUBMITTED TO THE OFFICE OF THE LOCAL COUNCIL STIPULATED IN ART. 15, AT THE LATEST ON SEPTEMBER 14, 1966.

ARTICLE 56. THE LOCAL COUNCIL STIPULATED IN ART. 15 WILL EXAMINE IRREGULAR VOTES OR CONTESTED VOTES, CHECK THE RESULTS OF THE CASTING OF VOTES, ANNOUNCE THE OFFICIAL RESULT ON SEPTEMBER

UNCLASSIFIED

DECLASSIFIED

15, 1966, AND TRANSMIT REPORTS AS WELL AS NECESSARY DOCUMENTS TO THE MINISTRY OF INTERIOR THOUGH THE SAIGON MAYOR, CHIEFS OF PROVINCE AND CHIEFS OF MUNICIPALITY, IN ORDER TO BE TRANSMITTED TO THE NATIONAL CONSTITUENT ASSEMBLY.

CHAPTER VII

COMPLAINTS AND LAWSUIT

ART.47. VIOLATIONS TO THE FREE AND SINCERE CHARACTER OF NATIONAL CONSITUENT ASSEMBLY ELECTIONS WILL BE PUNISHED ACCORDING TO DECREE-LAW 13/64 OF JULY 8, 1964.

ART 48. COMPLAINTS SHOULD BE SUBMITTED TO THE COURT OF FIRST INSTANCE OR THE CONCILIATION COURT WITH EXTENDED JURISDICTION, AT THE LATEST THREE DAYS AFTER ELECTION DAY.

THE CONCERNED COURT MAY ONLY MAKE A JUDGEMENT AND ANNOUNCE ITS VERDICT AT THE EARLIEST ONE DAY AND AT THE LATEST TEN DAYS AFTER ELECTION DAY.

ART.49. ALL APPEALS MUST FOLLOW METHODS OF LAW AND REGULATIONS IN FORCE.

ALL JUDGEMENTS MUST BE COMPLETED WITHIN THE SHORTEST POSSIBLE TIME.

ALL DOCUMENTS AND JUDGEMENTS RELATED TO ELECTIONS WILL BE EXEMPTED FROM STAMP AND REGISTRATION FEES.

ART. 50. DEFAMATIONS, PUBLIC INSULTS, THREATS OR INCIDENTS OF VIOLENCE DURING THE ELECTION WILL BE JUDGED IN CONFORMITY WITH THE PROCEDURES STIPULATED IN ARTICLES 48 AND 49.

ART.51. ANY CANDIDATE, EVEN THOUGH A WINNER IN ELECTIONS, WHO HAS BEEN SENTENCED BY THE COURT ACCORDING TO DECREE-LAW 13/64 OF JULY 8, 1964, WILL HAVE HIS VICTORY IN ELECTIONS ANNULLED, AND IN HIS CONSTITUENCY AN ELECTION WILL BE ORGANIZED TO ELECT A REPLACEMENT, EXCEPT IN THE CASE DESCRIBED IN ARTICLE 44, PARAGRAPH 7.

(ENDALL)

LODGE

BT

NOTE: ADVANCE COPY TO S/S-O, WHITE HOUSE, DOD, CIA, USIA, NSA, 6/19/66 at 2:50 PM.

DECLASSIFIED

DECLASSIFIED

POL 14 VIETS

INCOMING TELEGRAM *Department of State*

CONFIDENTIAL

47
Action

FE
Info

SS
G
SP
SAH
L
H
EUR
IO
P
NSC
INR
AID

RSR

VV MJA619JIA319
OO RUEHC
DE RUMJIR 2344A/1 1701200
ZNY CCCCC
O 191140Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5634
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT

18914
JUNE 19, 1966
8:24 AM

Pol 14 Vnts

C O N F I D E N T I A L SECTION ONE OF TWO JUNE 19

REF: DEPTEL 3965.

1. ADVANCE TEXTS OF LAWS ON ELECTIONS AND CONSTITUENT ASSEMBLY HAVE BEEN TRANSLATED AND ARE BEING TRANSMITTED AS UNCLASSIFIED SEPTELS. WE CAUTION AGAINST THAT OUR TRANSLATIONS ARE UNOFFICIAL AND SUBJECT TO LATER REFINEMENT. THEY WILL UNDOUBTELY DIFFER IN PHRASING FROM FINAL TEXTS PUBLISHED IN ENGLISH AND FRENCH BY VIET-NAM PRESS.

2. AS YOU KNOW FROM OUR REPORTING, DIRECTORATE HAS MADE SEVERAL CHANGES IN ORIGINAL DRAFT PREPARED ANS SUBMITTED BY ELECTION LAW DRAFTING COMMITTEE. IN SUM, ELECTION LAW IS A QUITE DEFENSIBLE DOCUMENT COMPARING FAVORABLY WITH SUCH LAWS ELSEWHERE. REMAINDER THIS CABLE WILL DEAL ONLY WITH POSSIBLE POINTS OF CONTROVERSY IN ACCORDANCE WITH DEPARTMENT'S REQUEST.

3. MOST SIGNIFICANT IS DECISION TO USE MODIFIED LIST VOTING AND BASE SIZE OF CONSTITUENT ASSEMBLY ON NUMBER OF ELECTORS RATHER THAN TOTAL POPULATION. FORMER CHANGE WAS OBVIOUSLY MADE IN ATTEMPT TO PREVENT WELL-ORGANIZED MINORITIES FROM CAPTURING ALL SEATS IN A PARTICULAR CONSTITUENCY AND TO HAVE GREATER ASSURANCE THAT CRYPTO-COMMUNIST CANDIDATE WOULD NOT BE ELECTED. IT HAS ALSO BEEN PROPOSED BY GOVERNMENT ON GOROUNDS THAT THIS PROCEDURE WIEL ACCELERATE POLITICAL PARTY EVOLUTION IN VIET-NAM BY ENCOURAGING FACTIONS AND INDIVIDUALS TO NEGOTIATE LONG STANDING DIFFERENCES AND UNITE. SHOULD BE NOTED THAT LIST IS, OF COURSE, NOT APPLICABLE IN SINGLE-MEMBER CONSTITUENCIES; 27 OF TOTAL NUMBER OF 58 FALL INTO THIS CATEGORY.

4. BY USING NUMBER OF ELECTORS RATHER THAN TOTAL

CONFIDENTIAL EA/VN

Declassified per Peter Collins, FOI: Schenk
RS/R, DOE
5/23/73

DECLASSIFIED
UNCLASSIFIED
CONFIDENTIAL

POPULATION AS BASIS FOR DECIDING NUMBER OF SEATS IN CONSTITUENT ASSEMBLY, GVN HAS EFFECTIVELY CUT TOTAL MEMBERSHIP TO MORE WORKABLE 117 FROM APPROXIMATELY 160 DRAFTING BODY HAD SUGGESTED. IT MAY BE ARGUED THAT USING 1965 ELECTORAL ROLES TO ESTABLISH SEATS REDUCES REPRESENTATION FROM PROVINCES WHERE VIET-CONG STRENGTH HELD DOWN REGISTRATION. HOWEVER, THIS IS NOT A PROBLEM GIVEN ABSENCE OF RESTRICTION ON VOTING AND FACT THAT 1965 REGISTRATION WAS WIDESPREAD AND WENT FAR BEYOND THOSE PEOPLE IN "SECURE" AREAS.

5. ARTICLE DEALING WITH PROHIBITION OF COMMUNIST AND NEUTRALIST CANDIDATES NOW INCLUDES A DEFINITIONAL PHRASE WHICH CHARACTERIZES PROHIBITION AS APPLYING TO "PRO-COMMUNIST NEUTRALISTS, OR NEUTRALISTS WHOSE ACTIONS ARE ADVANTAGEOUS TO THE COMMUNISTS." WHILE THIS PHRASE MAY HAVE ALL THE MARKS OF INCONSISTENCY, IT NEVERTHELESS MAKES CLEAR THAT THE PROHIBITION APPLIES TO THOSE WHO ARE PART OF A CONSPIRACY AGAINST THE GOVERNMENT. IT SHOULD NOT BE DIFFICULT TO EXPLAIN WHY A GOVERNMENT IS NOT PREPARED TO ALLOW THE ENEMIES WHO ARE ATTACKING IT FROM BEING SEATED IN AN ELECTED ASSEMBLY. THERE REMAINS, OF COURSE, NO EQUIVALENT PROHIBITION ON VOTING RIGHTS.

6. DIRECTORATE HAS WISELY CORRECTED "CHINESE EXCLUSION" DEVICE WHICH DRAFTING COMMITTEE HAD INSERTED IN ITS ORIGINAL DRAFT. CANDIDATES ARE ONLY REQUIRED TO HAVE BEEN CITIZENS FOR THE PAST FIVE YEARS, NOT TEN AS IN COMMITTEE'S RECOMMENDATION. COMMITTEE'S FORMULATION WOULD HAVE EFFECTIVELY PREVENTED ALMOST ALL OF CHINESE COMMUNITY FROM BECOMING CANDIDATES.

7. QUESTION WHICH MAY BE POTENTIALLY CONTROVERSIAL IS MANNER PROVIDED FOR SCREENING CANDIDATES. AS LAW PROVIDES THIS WILL BE DONE BY COMMITTEES DESIGNED TO INCLUDE LOCAL JUDICIAL REPRESENTATION AND MEMBERS DRAWN FROM PROVINCIAL AND MUNICIPAL COUNCILS. (THUS, TWO OF MEMBERS ARE INDIVIDUALS WHO WERE FREELY ELECTED IN MAY 30, 1965 ELECTIONS.) OTHER FOUR WHO MAKE UP SEVEN-MAN LOCAL COMMITTEES ARE REPRESENTATIVES DRAWN FROM A LIST OF LOCAL ELECTORS (MUCH AS PEOPLE ARE CHOSEN FOR JURY DUTY IN U.S.) AND A REPRESENTATIVE PROPOSED BY LOCAL GVN ADMINISTRATION TO SERVE AS REPORTED. IT SHOULD ALSO BE NOTED THAT A CENTRAL COMMITTEE WILL BE CREATED TO REVIEW COMPLAINTS OF THOSE CANDIDATES DISQUALIFIED BY LOCAL COMMITTEES.

8. MANNER OF CHOOSING MONTAGNARD REPRESENTATIVES MAY ELICIT SOME CRITICISM. THOUGH LAW LEAVES SPECIFICS TO SUBSEQUENT DECREE IT SEEMS CERTAIN THAT THEY WILL NOT BE FREELY ELECTED,

CONFIDENTIAL
UNCLASSIFIED

DECLASSIFIED
UNCLASSIFIED
CONFIDENTIAL

3-5634, JUNE 19, FROM SAIGON. (SEC 1 OF 11).

BUT WILL BE CHOSEN PROBABLY BY TRIBAL COUNCILS IN ACCORDANCE WITH THEIR "TRADITIONS AND CUSTOMS...." THIS STRIKES US AS QUITE REALISTIC AND ACCEPTABLE AS LONG AS IT IS LEFT ENTIRELY TO COUNCILS. IN VIEW OF GVN'S RECENT, ENLIGHTENED APPROACH TO FULRO AND OTHER MONTAGNARD PROBLEMS, THERE IS REASON TO HOPE THAT THIS WILL BE THE CASE.

9. LOCAL ELECTION COMMITTEES APPEAR ON PAPER TO BE FAIR WAY OF ASSURING THAT CANDIDATES' INTERESTS WILL BE PROTECTED. THESE COMMITTEES ON WHICH EACH CANDIDATE OR LIST WILL HAVE A REPRESENTATIVE WILL OVERSEE CONDUCT OF CAMPAIGNS, DECIDE LOCAL GROUND RULES. LODGE
BT

NOTE: ADVANCE DELIVERY TO S/S-O, WHITE HOUSE, DOD, CIA, USIA, & NSA, AT 9:40 AM.

DECLASSIFIED
UNCLASSIFIED
CONFIDENTIAL

DECLASSIFIED Pol 14 Vietn

INCOMING TELEGRAM *Department of State*

DECLASSIFIED

CONFIDENTIAL

47
Action

FE
Info

SS
G
SP
SAH
L
H
EUR
IO
P
NSC
INR
AID

RSR

VV TMJA620JIA820
OO RUEHC
DE RUMJIR 2344A/2 1701220
ZNY CCCCC
O 191140Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5634
INFO ZEN/AMCONSUL DANANG UNN
ZEN/AMCONSUL HUE UNN
STATE GRNC
BT

L 8915

1966 JUN 19 AM 8 37

C O N F I D E N T I A L SECTION TWO OF TWO JUNE 19

10. AS WAS CASE WITH MAY 30, 1965 ELECTIONS, CAMPAIGN EXPENSES WILL BE A CHARGE ON NATIONAL BUDGET AND EACH CANDIDATE WILL BE PROVIDED WITH THE SAME AMOUNT AS HIS OPPONENT RECEIVES. INTENTION, OF COURSE, IS TO DEPRIVE WEALTHY CANDIDATE OF UNDUE ADVANTAGE OVER POORER OPPONENT. IN SAME CONNECTION, IT WILL BE NOTED THAT EACH CANDIDATE MUST DEPOSIT 10,000 PIASTERS (APPROXIMATELY $83 US). SHOULD HE WITHDRAW BEFORE ELECTION DAY OR SHOULD HE FAIL TO GET AT LEAST 5 PERCENT OF THE TOTAL VOTES CAST IN THE CONSTITUENCY, THE DEPOSIT IS FORFEIT. OBVIOUS INTENTION OF THIS REQUIREMENT IS TO PREVENT FRIVOLOUS CANDIDATES FROM STANDING FOR ELECTION.

11. FOREGOING REPRESENTS OUR PRELIMINARY VIEW OF ELECTION LAW DRAFT. IT IS NOT, OF COURSE, MEANT TO BE A DEFINITIVE REVIEW.

12. OTHER LAW, WHICH DEALS WITH ORGANIZATION OF CONSTITUENT ASSEMBLY, REPRESENTS DIRECTORATE'S REWORKING OF DRAFT SUBMITTED BY SUBCOMMITTEE TWO OF ELECTION LAW DRAFTING COMMITTEE. OUR UNOFFICIAL TRANSLATION THIS DRAFT LAW ALSO BEING TRANSMITTED BY UNCLASSIFIED SEPTEL.

13. UNDER TERMS OF THIS LAW CONSTITUENT ASSEMBLY IS NOT SPECIFICALLY GIVEN LEGISLATIVE POWERS; THEREFORE, IT HAS NONE. THIS MEANS ITS FUNCTION IS TO PRODUCE A CONSTITUTION. AS OF NOW WHAT HAPPENS WHEN IT COMPLETES THAT TASK IS UNCLEAR. LAW'S STATEMENT ON THIS POINT IS FUZZY AND IT IS STILL POSSIBLE THAT CONSTITUENT ASSEMBLY COULD WRITE ITSELF INTO NEW CONSTITUTION, AND THUS BE TRANSFORMED INTO A LEGISLATIVE BODY.

14. ALSO IN THIS LAW IS STATEMENT THAT DIRECTORATE HAS FROM THREE TO SIX MONTHS AFTER ASSEMBLY COMPLETES ITS WORK TO SET IN PLACE GOVERNMENTAL INSTITUTIONS PROVIDED FOR IN CONSTITUTION.

DECLASSIFIED

DECLASSIFIED
UNCLASSIFIED
CONFIDENTIAL

15. THERE IS ALSO PROVISION WHICH PERMITS DIRECTORATE TO RECOMMEND MODIFICATIONS TO CONSTITUTION AND, UNLESS THEY ARE REJECTED BY TWO-THIRDS VOTE OF ASSEMBLY, THEY BECOME PART OF FINAL DOCUMENT.

16. THESE PROVISIONS ARE LIKELY TO STIR CONTROVERSY WHEN THEY BECOME KNOWN. THEY DO, HOWEVER, REPRESENT POLITICAL COMPROMISE OF SORTS. THEY WERE DISCUSSED IN AND ACCEPTED BY ENLARGED DIRECTORATE ON WHICH ELECTORAL LAW DRAFTING COMMITTEE WAS REPRESENTED. LODGE
BT

NOTE: ADVANCE DELIVERY TO S/S-O , WHITE HOUSE, DOD, CIA, USIA, & NSA, 6/19/66, 8:45 AM.

UNCLASSIFIED
CONFIDENTIAL

30

POL 14 VIET S

UNCLASSIFIED

INCOMING TELEGRAM Department of State

331

47

Action

FE

Info

SS
G
SP
SAH
L
H
EUR
IO
P
USIA
NSC
INR
CIA
NDA
DOD
AID

RSR

UNCLASSIFIED

V EUB875PEA994
OO RUEHC
DE RUABSG 2341E 1701045
ZNR UUUUU
O 191015Z
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5633
INFO ZEN/AMCONSUL DANANG UNN
ZENAMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS SECTION ONE OF TWO JUNE 19

18913
1966 JUN 19 AM 8 15

Saigon 3633

SUBJ: ELECTION LAW DRAFTING COMMITTEE

1. FOLLOWING IS UNOFFICIAL RPT UNOFFICIAL TRANSLATION OF FINAL DRAFT OF LAW ON ORGANIZATION CONSTITUTIONAL CONVENTION AS MODIFIED BY THE DIRECTORATE.

ART. 1 THE ORGAINZATION OF THE NATIONAL CONSTITUENT ASSEMBLY IS FIXED AS FOLLOWS:

CHAPTER I
REGULATIONS CONCERNING DEPUTIES TO THE NATIONAL CONSTITUENT ASSEMBLY

PAGE 2 RUABSG 2341E UNCLAS

ART. 2 THE NATIONAL CONSTITUENT ASSEMBLY IS COMPOSED OF PEOPLE'S REPPRESENTATIVES CALLED "DEPUTIES OF THE NATIONAL CONSTITUENT ASSEMBLY."

THE ELECTIORAL LAW WILL FIX THE NUMBER OF DEPUTIES, CONDITIONS FOR CANDIDACY TO THE NATIONAL ASSEMBLY, AND THE ELECTORAL PROCEDURES.

ART. 3 DEPUTIES MAY NOT SERVE SIMULTANEOUSLY IN ANY POSITION WHICH CARRIES A GOVERNMENT SALARY OR TO WHICH THE INCUMBENT IS APPOINTED BY THE GOVERNMENT. THIS PROHIBITION INCLUDES POSITIONS ON THE CENTRAL EXECUTIVE COMMITTEE. CIVIL SERVANTS AND MILITARY PERSONNEL WHO ARE ELECTED WILL GO ON LEAVE OF ABSENCE.

UNCLASSIFIED

MICROFILMED BY [illegible]

UNCLASSIFIED

UNCLASSIFIED

ANY DEPUTY WHO ACCEPTS A POSITION CARRYING A SALARY PAID BY THE GOVERNMENT OR TO WHICH THE INCUMBENT IS APPOINTED BY THE GOVERNMENT WILL BE CONSIDERED TO HAVE AUTOMATICALLY RESIGNED AS DEPUTY. HOWEVER, DEPUTIES MAY ACCEPT SPECIAL TEMPORARY ASSIGNMENTS PROVIDED THE ASSIGNMENT LASTS NO MORE THAN 3 MONTHS.

IN NO CASE MAY DEPUTIES AND THEIR LEGAL ASSOCIATES PARTICIPATED IN COMPETITIVE BIDDING SPONSORED BY GOVERNMENT

ORGANS OR ENTER INTO CONTRACTS CONTRACTS WITH THEM.

ART. 4 DEPUTIES MAY SERVE SIMULTANEOUSLY IN ANOTHER OFFICE TO WHICH THEY ARE ELECTED BY THE PEOPLE. DEPUTIES MAY ALSO SERVE AS PROFESSORS IN UNIVERSITIES AND HIGHER TECHNICAL SCHOOLS.

ART. 5 DEPUTIES WILL NOT BE SUED, SEARCHED, OR ARRESTED FOR OPINIONS EXPRESSED OR VOTES MADE IN THE NATIONAL ASSEMBLY OR IN NATIONAL ASSEMBLY COMMITTEES, EXCEPT IN THE CASE IN WHICH 2/3 OF THE NATIONAL ASSEMBLY MEMBERSHIP CONFIRMS THAT THE OPINIONS EXPRESSED HAVE BEEN AIMED AT MAKING PROPAGANDA SUPPORTING THE POLICY OR ACTIVITIES OF THE COMMUNISTS AND PRO-COMMUNIST NEUTRALISTS.

ART. 6 DURING THE WHOLE TERM OF THE NATIONAL CONSTITUENT ASSEMBLY DEPUTIES CANNOT BE SUED, SEARCHED, HELD OR TRIED FOR A CRIMINAL OR PETTY OFFENSE UNLESS 2/3 OR THE NATIONAL CONSTITUENT ASSEMBLY MEMBERSHIP AGREES TO THE ACTION, EXCEPT IN THE CASE OF "FLAGRANTE DELICTO" ACCORDING TO THE CORRECT DEFINITION OF THE LAW.

PROSECUTION CONDUCTED IN CONFORMITY WITH FLAGRANTE DELICTO PROCEDURES WILL BE SUSPENDED ON THE REQUEST OF 2/3

OF THE DEPUTIES PRESENT, AND THE DEPUTY IN CUSTODY WILL BE IMMEDIATELY RELEASED.

UNCLASSIFIED

DECLASSIFIED

ART. 7 THE NATIONAL ASSEMBLY WILL ACCEPT THE RESIGNATIONS OF DEPUTIES. SUCH RESIGNATIONS WILL TAKE EFFECT FROM THE DAY THE ASSEMBLY IS INFORMED, WHICH WILL BE THE EARLIST PLENARY SESSION.

DEPUTIES WILL BE CONSIDERED TO HAVE AUTOMATICALLY RESIGNED IF THEY NO LONGER FULFILL THE CONDITIONS LAID DOWN IN THE ELECTORAL LAW.

WHEN A DEPUTY DIES, RESIGNS, OR TERMINATES HIS MANDATE FOR ANY REASON WHATSOEVER, THE ELECTION OF A REPLACEMENT SHALL TAKE PLACE ONLY IF THE VACANCY OCCURS WITHIN THE TWO FIRST MONTHS OF HIS TERM.

CHAPTER II
FUNCTIONING OF THE NATIONAL CONSTITUENT ASSEMBLY

ART. 8 THE FIRST PLENARY SESSION OF THE NATIONAL ASSEMBLY WILL BE CONVENED BY THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE WITHIN FIFTEEN DAYS FOLLOWING ELECTION DAY.

ART. 9 THE NATIONAL ASSEMBLY WILL HOLD A LEGAL SESSION AND MAKE LEGAL DECISIONS IF THERE ARE MORE THAN HALF OF THE TOTAL NUMBER OF DEPUTIES PRESENT.

IF AT ITS FIRST SESSION THE ASSEMBLY DOES NOT HAVE THE MINIMUM ATTENDANCE REQUIRED ABOVE, THE ASSEMBLY WILL MEET 24 HOURS LATER AND THE SESSION WILL BE LEGAL AND ABLE TO TAKE LEGAL DECISIONS REGARDLESS OF THE NUMBER OF DEPUTIES PRESENT.

ART. 10 FROM THE OPENING SESSION TO THE ELECTION OF A SECRETARIAT, THE OLDEST DEPUTY WILL SERVE AS CHAIRMAN OF THE ASSEMBLY AND THE YONGEST DEPUTY AS SECRETARY. THE ASSEMBLY MAY APPOINT ONE OR MORE DEPUTIES TO ASSIST THE CHAIRMAN AND SECRETARY.

DECLASSIFIED

DECLASSIFIED

ART. 11 THE NATIONAL ASSEMBLY WILL SET UP A COMMITTEE TO VALIDATE THE ELECTIONS OF ITS MEMBERS. THIS COMMITTEE WILL REPORT ITS WORK TO THE ASSEMBLY FOR EXAMINATION AND DECISION.

ART. 12 THE NATIONAL ASSEMBLY WILL DECIDE ITS OWN INTERNAL REGULATIONS, ESPECIALLY WITH REGARD TO INTERNAL ORGANIZATION AND THE WORKING METHODS OF THE ASSEMBLY AND ITS COMMITTEES.
LODGE

NOTE: ADVANCE COPY TO S/S-O 6/19/66 8:18 AM

DECLASSIFIED

DECLASSIFIED

POL 14 VIET S

INCOMING TELEGRAM *Department of State*

89
Action

FE
Info
SS
G
SP
SAH
L
H
EUR
IO
P
NSC
INR
AID
RSR

UNCLASSIFIED

W 8967

VV EUA042PEA121
OO RUEHC
DE RUABSG 2341E/2 1701115
ZNR UUUUU
O 1910157
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5633
INFO ZEN/AMCONSUL DANANG UNN
ZEN/ AMCONSUL HUE UNN
STATE GRNC
BT
UNCLAS (SECTION TWO OF TWO) JUNE 19

1966 JUN 19 PM 5 47

ART. 13 AFTEP THE ELECTIONS OF 2/3S OF THE TOTAL NUMBER OF DEPUTIFS HAVE BEEN VALIDATED AS REGULAR AND THE ASSEMBLY'S INTERNAL REGULATIONS ADOPTED, THE NATIONAL ASSEMBLY WILL ELECT A SECRETARIATE COMPOSED OF A CHAIRMAN, TWO VICE-CHAIRMEN, ONE SECRETARY-GENERAL AND A NUMBER OF ASSISTANT SECRETARIES7 GENERAL.

ART. 14 THE NATIONAL ASSEMBLY TAKES DECISIONS BY RELATIVE MAJORITY VOTE, EXCEPT FOR THOSE INSTANCES WHICH REQUIRE A LARGER MAJORITY.

PAGE 2 RUABSG 2341E/2 UNCLAS

IN THE CASE OF A TIE VOTE, THE CHAIRMAN OF THE ASSEMBLY WILL CAST THE DECIDING BALLOT.

IN ALL CASES, DECISIONS OF THE ASSEMBLY ARE VALID ONLY IF THE MAJORITY VOTE IS EQUAL TO ONE-THIRD OF THE TOTAL NUMBER OF DEPUTIES.

ART. 15 THE NATIONAL ASSEMBLY SESSIONS WILL BE PUBLIC. HOWEVER, THE ASSEMBLY MAY MEET IN SECRET SESSION IF THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE OR A MAJORITY OF OVER ONE-HALF OF THE DEPUTIES PRESENT SO REQUEST.

VERBATIM ACCOUNST OF THE DISCUSSIONS AND DOCUMENTS PRODUCED IN THE ASSEMBLY, EXCEPT FOR ACCOUNTS OF SECRET SESSIONS, WILL BE PUBLISHED IN THE OFFICIAL GAZETTE.

UNCLASSIFIED

Saigon 5633

DECLASSIFIED

CHAPTER III
PROCEDURE FOR WRITING THE CONSTITUTION

ART. 16 THE NATIONAL ASSEMBLY WILL DESIGNATE A COMMITTEE CHARGED WITH DRAFTING THE CONSTITUTION. THE COMMITTEE WILL REPORT TO THE ASSEMBLY A DRAFT CONSTITUTION.

THE NATIONAL ASSEMBLY WILL APPORVE THE ENTIRE DRAFT CONSTITUTION BY A MAJORITY OF MORE THAN ONE-HALF OF THE TOTAL NUMBER OF DEPUTIES.

PAGE 3 RUABSG 2341E/2 UNCLAS

DEPUTIES MAY NOT VOTE BY PROXY.

THE CONSTITUTION MUST BE APPORVED BY THE NATIONAL ASSEMBLY WITHIN SIX MONTHS FROM THE DATE OF THE CONVENING OF THE ASSEMBLY.

ART. 17 THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE MAY TRANSMIT MESSAGES TO THE NATIONAL ASSEMBLY BY LETTER.

THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE OR HIS REPRESENTATIVE MAY PARTICIPATE IN SESSIONS OF THE ASSEMBLY. OPINIONS OF THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE OR HIS REPPRESENTATIVE WILL BE DISCUSSED ON PRIORITY BASIS IN THE EARLIST PLENARY SESSION.

ART. 18 MEMBERS OF THE NATIONAL LEADERSHIP COMMITTEE AND THE CENTRAL EXECUTIVE COMMITTEE MAY DISCUSS WITH THE CHAIRMAN AND VICE-CHAIRMEN OF THE ASSEMBLY AND WITH THE CHAIRMEN OF THE ASSEMBLY COMMITTEES, MATTERS CONCERNING THE CONSTITUTION.

ART. 19 WITHIN SEVEN FULL DAYS FOLLOWING APPROVAL BY THE NATIONAL ASSEMBLY, THE DRAFT CONSTITUTION WILL BE TRANSMITTED TH THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE FOR PROMULGATION.

PAGE 4 RUABSG 2341E/2 UNCLAS

ART. 20 THE CHAIRMEN OF THE NATIONAL LEADERSHIP COMMITTEE WILL PROMULGATE THE CONSTITUTION WITHIN THIRTY FULL DAYS FROM THE DATE OF RECEIPT.

DECLASSIFIED

DECLASSIFIED

DURING THE PERIOD ALLOWED FOR PROMULGATION, THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE MAY ASK THE NATIONAL ASSEMBLY TO RECONSIDER ONE OR MORE PROVISIONS OF THE CONSTITUTION WHICH THE ASSEMBLY HAS APPROVED. IF THE NATIONAL ASSEMBLY REJECTS THE MODIFICATIONS PROPOSED BY THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE, THE ASSEMBLY WILL ENACT THE CONSTITUTION BY A ROLL-CALL IN PERSON VOTE OF TWO-THIRDS OF THE TOTAL NUMBER OF ITS MEMBERS.

IF THE REQUIRED TWO-THIRDS MAJORITY IS NOT AVAILABLE, THE AMENDMENT PROPOSED BY THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE IS AUTOMATICALLY CONSIDERED APPROVED.

AFTER THE 30 DAY PERIOD MENTIONED ABOVE, IF THE CHAIRMAN OF THE NATIONAL LEADERSHIP COMMITTEE HAS NEITHER PROMULGATED NOR RETURNED TO THE NATIONAL ASSEMBLY FOR RECONSIDERATION THE TEXT WHICH THE ASSEMBLY HAD APPROVED, THE CONSTITUTION SHALL AUTOMATICALLY GO INTO EFFECT.

COMMON STIPULATIONS

ART. 21 THE TERM OF OFFICE OF THE NATIONAL CONSTITUENT

ASSEMBLY WILL END WHEN THE CONSTITUTION IS PROMULGATED.

ART. 22 THE NATIONAL LEADERSHIP COMMITTEE IS RESPONSIBLE FOR ESTABLISHING THE NATIONAL INSTITUTIONS DECIDED ON BY THE CONSTITUTION WITHIN THREE TO SIX MONTHS FOLLOWING THE PROMULGATION OF THE CONSTITUTION.

ART. 23 EXPENDITURES REQUIRED FOR THE FUNCTIONING OF THE NATIONAL ASSEMBLY WILL BE PROVIDED BY THE NATIONAL BUDGET.

ART. 24 THE CHAIRMAN OF NATIONEL LEADERSHIP COMMITTEE WILL CARRY OUT THIS DECREE-LAW.

THIS DECREE-LAW WILL BE INSERTED INTO THE OFFICIAL GAZETTE OF THE REPUBLIC OF VIET-NAM. LODGE

NOTE: per Code Room ~~RUSSG 5750~~, WHITE HOUSE, DOD, CIA, USIA, NSA, 6/19/66 ~~6:50 PM~~
Correction 6-20-66 (2:30pm) Correction made

DECLASSIFIED

DECLASSIFIED Pol 14 VIET S

INCOMING TELEGRAM *Department of State*

52-43

CONFIDENTIAL

Action
FE
Info
SS
G
SP
SAH
L
H
EUR
IO
P
NSC
INR
NIC
AID
RSR

NNNNVV MJB938JIA140
PP RUEHC
DE RUMJIR 2566A 1721020
ZNY CCCCC
P 211015Z
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC PRIORITY 5666
STATE GRNC
BT

20370
1966 JUN 21 AM 7 11

C O N F I D E N T I A L JUNE 21.

REF: DEPTEL 3974 Pol 14 Viet S

1. DEPT CORRECT IN ASSUMPTION THAT PROVISION INSERTED SO AS TO FORCE CANDIDATES POLICE OWN RANKS. MINISTER INTERIOR OFFICIA TOLD EMBOFF THAT OVERRIDING FEAR IN GVN CIRCLES IS THAT CRYPTO-COMMUNISTS WILL BE ELECTED TO CONSTITUENT ASSEMBLY. PROVISION INTENDED TO HELP AUTHORITIES PREVENT SUCH COMMUNIST INFILTRATIO BY ENLISTING CANDIDATES AND THEIR SUPPORTERS IN EFFORT DISCOVER AND ELIMINATE COMMUNIST CANDIDATES.

2. ANNOUNCED GVN INTENTION IN USING LIST VOTING DEVICE IS TO OBLIGE POLITICAL GROUPS TO COALESCE AND COOPERATE. PROVISION

PAGE 2 RUMJIR 2566A C O N F I D E N T I A L
FURTHER STRENGTHENS THIS DESIRABLE EFFECT BY INSURING THAT CANDIDATES DO NOT RPT NOT CASUALLY AND ONLY NOMINALLY ALIGN SELVES WITH ONE ANOTHER SIMPLY TO MAKE UP LIST. THEY WILL HAVE TO KNOW THEIR CO-CANDIDATES. FROM THIS POINT OF VIEW WE INCLINED SEE PROVISION AS USEFUL.

3. WE DO NOT RPT NOT BELIEVE THIS PROVISION DETRACTS FROM IMPROVED DEFINITION OF NEUTRALISTS. IT WILL PROBABLY OPERATE TO MAKE CANDIDATES MORE WARY OF SIGNING UP ON SAME LIST WITH PRO-COMMUNIST NEUTRALIST ELEMENTS.

4. OF COURSE ANY CANDIDATE LIST WHICH IS ELIMINATED BY LOCAL ELECTION COUNCIL ON BASIS THIS PROVISION MAY UNDER LATER PARAGRAPHS ARTICLE 16 APPEAL DECISION TO CENTRAL ELECTION BOARD.
GP-4 LODGE
BT

NOTE: Passed S/S-O, White House, DOD, CIA, USIA, NSA at 7:17 AM, 6/21/66

MICROFILMED BY RS/R

CONFIDENTIAL